

A Reply to the Allegations Concerning the AD 508 and AD 538 Source Books

Heidi Heiks

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Greetings, Nick Lawrence.

In this rebuttal, I first want to thank you for what I perceive to be an honest assessment of my works in your line of reasoning, and for your congenial and professional spirit. Also, in your handling of the primary and secondary sources, which I know well, I find you to be honest. That has been a rare commodity, in my experience. For those reasons, I will gladly answer your questions, with your promise that you would also answer mine. In our dialogue I trust we may continue to speak in a forthright manner, with no offence taken and none intended.

I will largely retain your submitted format for continuity. My critique of what you submitted will begin with the quotations taken from my books in a reduced marginal format numbered in bold font **(01)–(20)** in the order they were submitted to me. This, in turn, will be followed by your comments that I will put in parentheses. My response will follow in brackets. The twenty quotations taken from my books in the reduced marginal format and the footnotes will be numbered according to the page numbering of my books, not from the PDF that you are using. Since you reference only two of my books, *AD 508 Source Book*, Vol.1 and *AD 538 Source Book*, Vol. 2, numbering will follow this example: 2:267. In other words, *AD 538 Source Book*, Vol.2, page 267.

(01).

“In an extremely significant letter, Pope Hormisdas writes to Justinian in February of 519. Amazing as it seems, the papacy singles herself out as the pope identifies the Catholic Church as the true source in rooting out her enemies, working from behind the scenes, fulfilling scripture.

(A portion of the pope’s letter to Justinian reads:)

““The way to unity of the church is clear, the prescriptions for it are known; the priests who love the Catholic peace must not reject the Catholic confession. For it is necessary that the falsehood not be just partly improved but torn out by the root.... Therefore go forth as you have begun.... Your sentiments as they

appear in your writings to us are of the kind such that not much exhortation is required for the execution of your good intentions.’

“With the church ultimately doing the rooting out, commissioning Justinian to ‘go forth as you have begun’ with ‘the execution of your good intentions,’ this excerpt requires no commentary. We will shortly view those so-called good intentions of Justinian in his *Corpus Juris Civilis* which was backed by the church when he became the emperor in 527.” 2:40-41.

(I think the excerpt does require some commentary since Hormisdas’ 519AD letter was specifically addressing negotiations meant to end the 35-year Acacian Schism. Heidi Heiks mentions this religious quarrel on several occasions in his *A.D. 538 Source Book* (pages 63, 127, 169), so he should be familiar with it. The “falsehood” needing to be “torn out by the root” was the Eastern Church’s continued support for the deceased Patriarch Acacius, among other things. Yes, Hormisdas did indeed lay out the prescriptions for clearing the “way to unity of the church” in resolving the schism; he required Acacius’ condemnation, rejection of the Henoticon,¹ and universal acceptance of Hormisdas’ Formula along with Leo’s Tome.² About a month later, Emperor Justin (who Justinian represented in his letter to Hormisdas) made good on those intentions; he, along with the Patriarch of Constantinople and several hundred chief bishops, condemned Acacius, signed the Formula of Hormisdas, and issued an imperial decree declaring that the true faith was only found in union with the Roman church.³

(So all Hormisdas’ letter really tells us is that the prescriptions for ending the Acacian schism were known, the pope was not going to be satisfied until all of his conditions were met, and he encouraged the emperor and Justinian to continue actively facilitating the schism’s resolution. I think Heiks’ explanation goes well beyond what was actually said, taking Hormisdas’ admonition concerning a specific issue (reconciliation within the church), and wrongly turning it into a papal commission about sending forth the emperor’s nephew to root out the church’s enemies – a topic the letter simply does not address.) NL

[Among my peers it is rightly understood that one of the specifications designating the character and attributes of the papacy in the books of Daniel and Revelation is that she is *intolerant*. This I have repeatedly shown and so stated in my books. She “persecutes and destroys the saints” according to chapters 7, 8, and 11 of Daniel. In Revelation chapter 13 there are fifteen

¹ Joseph F. Kelly, *The Ecumenical Councils of the Catholic Church*, 50.

² Volker L. Menze, *Justinian and the Making of the Syrian Orthodox Church*, 75.

³ Ibid.

specifications that identify the sea beast; all of those specifications find their fulfillment in the papacy, and the papacy alone. Chapter 17 of Revelation outlines ten specifications of this same resurrected intolerant entity. Again, all specifications find their primary fulfillment in the papacy (the “Mother of Harlots”), and no other. “Wine” denotes doctrines or teachings. Intoxicating wine denotes false doctrine. Revelation 17:2 and explicitly 14:8 declare she is yet to make “*all nations drink of the wine of the wrath of her fornication.*” “Fornication,” in a religious sense, means illicit union: union with the civil power, union with the world, or union with false worship. It is unfaithfulness to Christ. The Lord likens himself to the husband of the church, and if the church is unfaithful to him and seeks the favor of others, that is classed as spiritual adultery or fornication. The fornication of Rev. 14:8 and 17:2 is the union of church and state. But what is meant by “the wrath of her fornication”? When men assimilate the wine or doctrines of spiritual Babylon, they become wrathful and *intolerant*. They become *intolerant* of truth and *intolerant* of people who hold to the truth. As Revelation 12:17 declares, “The dragon was wroth with the woman [the church] and went to make war with the remnant of her seed, which keep the commandments of God and have the testimony of Jesus Christ.”

[The irony of it all is that Pope Hormisdas’ letter uses the very language found in Daniel 7:8 to “root” out all that she is not in harmony with. Along with that, if nothing else, the letter plainly reveals motive and intent. It was this crystal-clear intent of the papacy, consistent throughout all her reign, which I was trying to get across, but I admit my wording did not convey that properly. Further, you are right that I should be familiar with Pope Hormisdas’ letter. In fact, not only have I read the entire letter, but I translated the entire letter, as well. And you are right concerning the contents of that letter. I stand to be corrected. If I am wrong, I will be forthright and tell you so, as I expect the same in return. I will also state that there has been no intent in my books to deceive.] HH

(02).

“Simply put, the uprooting of a race is when the nationality of those peoples no longer exists. The uprooting of a kingdom occurs when its legislative branch no longer functions and its means of civil enforcement ceases to exist. *The Billings Gazette* fully illustrates this universally accepted and understood principle. By setting up Catholic legislation as supreme in a previously held Arian territorial jurisdiction, that kingdom was ‘plucked up by the roots.’”
2:75-76.

(I tend to agree with the first part of Heiks’ statement; if a kingdom’s legislative branch no longer functions and if its means of civil enforcement ceases to exist, then for all intents and purposes that kingdom has been uprooted. On page 76 of his *A.D. 538 Source Book*, Heiks refers

to the fall of Poland in 1939 as an example of such an uprooting; the note from Ambassador Molotov mentioned in *The Billings Gazette* stated that “(t)he Polish-German War has revealed the internal bankruptcy of the Polish State. During the course of ten days' hostilities Poland has lost all her industrial areas and cultural centers. Warsaw, as the capital of Poland, no longer exists. The Polish Government has disintegrated, and no longer shows any sign of life. This means that the Polish State and its Government have, in point of fact, ceased to exist.”⁴ I'm fine with using that as an example of uprooting. However, I completely disagree with Heiks' further assertion that setting up Catholic legislation in something as loosely defined as “previously held Arian territorial jurisdiction” is somehow synonymous with plucking up a kingdom by its roots; after all, a kingdom can lose some of its territorial jurisdiction to a foreign power while retaining a functioning legislative branch as well as its means of civil enforcement.

(Regarding the Visigoths, Heiks believes they were the first of three horns to be plucked up by the roots when Clovis defeated the Visigoths at the Battle of Vouille in 507AD. (He also claimed the latest academic scholarship supported the 508 AD date;⁵ however, since his book was published, more recent scholarship has upheld 507 AD⁶—scholarship that actually comes to us from one of Heiks' highly touted sources.⁷) According to him, the Visigoths were uprooted when nearly all of Gaul came under the jurisdiction of Clovis.⁸ So was the Visigothic kingdom really uprooted as a result of Vouille?

(We can answer that question by viewing the Visigoths in light of Heiks' Molotov example; the ambassador concluded that the Polish state ceased to exist when the country lost “all her industrial areas and cultural centers.” The capital city of Warsaw “ceased to exist”, and the Polish government disintegrated without showing any “sign of life.” How does this situation compare to the Visigothic kingdom following the Battle of Vouille? Well, did the Visigoths lose all of their “industrial” (i.e., economic) areas and cultural centers as a result of the battle? The answer is No; Roger Collins tells us that a substantial number of Visigoths settled in Spain during the 490s, which in his opinion may have contributed to their vulnerability in Gaul over a decade later.⁹ Economic/cultural centers like Barcelona, Cordoba, Toledo, Tarragona, etc. remained in Visigothic hands following the conflict. So the Frankish takeover of a large portion of Gallic territory resulted in the loss of some—but certainly not all—of the Visigoths' economic/cultural centers.

⁴ David G. Williamson, *Poland Betrayed*, 118.

⁵ Heidi Heiks, *AD 508 Source Book*, 40.

⁶ Ralph W. Mathisen & Danuta Shanzer, *The Battle of Vouillé, 507 CE: Where France Began*.

⁷ Heiks, *AD 508 Source Book*, xvii-xviii.

⁸ Heidi Heiks, *AD 538 Source Book*, 71-73.

⁹ Roger Collins, *Early Medieval Spain*, 34-35.

(Did the Visigoths lose their capital? Yes; the Visigothic capital of Toulouse was taken by the Franks. However, unlike the Poles, the Visigoths reestablished a new capital in the city of Narbonne soon afterward.¹⁰

(Did the Visigothic government disintegrate without showing any signs of life? The answer of course is No. The Visigothic nobles immediately replaced Alaric with King Gesalic. Gesalic was later overthrown by King Theodoric, who acted as regent,¹¹ and he was followed by Alaric's son, King Amalaric, who was then replaced by Theudis the Ostrogoth, and so on and so forth. The fact of the matter is, a Gothic monarchy ruled the Iberian peninsula for two centuries after the Battle of Vouille; its Western, Spanish provinces—including some Gallic territory—remained under Visigothic control after the battle. Losing most of Aquitania proper to the Franks was definitely a major setback for the kingdom, but the Visigothic state and monarchy did not cease to exist as a result. When judged by the Molotov litmus test, the kingdom of the Visigoths was not plucked up by the roots by 508 AD. We'd have to wait another 200 years for the Umayyad invasion to perform that task.

(Now, of course, Heiks' primary focus is on the religious ramifications of Clovis' war, so let's look at those. In Heiks' search for an uprooted horn,¹² he zeroed in on Gaul, describing it as "the last territory of Christendom in Western Rome,"¹³ a statement that would have come as a complete surprise to the Ibero-Roman Church in Spain, I'd imagine. Heiks used Procopius to show how the Visigoths "took possession of all of Gaul as far as the Alps,"¹⁴ he said the Gothic tribes were largely in control of "all of Gaul and Italy." After the Battle of Vouille "nearly all of Gaul" was under Clovis' jurisdiction,¹⁵ and Gaul changed hands from Arian to Catholic jurisdiction.¹⁶ I have a feeling that uninformed readers who study chapter 5 in Heiks' book may accidentally get the impression that Gaul represented the totality of the Visigothic kingdom, since Heiks equates the Visigoths with Gaul almost half a dozen times in that chapter, but gives the Visigothic presence in Spain barely more than a passing mention on page 73. And although Procopius did acknowledge the Visigoths taking Gaul as far as the Alps around 476 AD, he first mentioned how they had previously "seized all of Spain and the portion of Gaul lying beyond the Rhone River and made them subject and tributary to themselves."¹⁷

(Then on page 75, Heiks makes his point clear: "(t)he real emphasis of the scriptures was the removal of Arian jurisdiction from the three main and distinct Arian kingdoms, as stated by Procopius, and having it replaced with Catholic jurisdiction. As long as that Arian principle of

¹⁰ Ibid., 33.

¹¹ Herwig Wolfram, *History of the Goths*, 310.

¹² Heidi Heiks, *AD 538 Source Book*, 61-62.

¹³ Ibid., 64.

¹⁴ Ibid.

¹⁵ Ibid., 73.

¹⁶ Ibid.

¹⁷ Procopius, *History of the Wars*. Translated by H. B. Dewing. Bks. 1-8. In Loeb Classical Library, edited by Jeffrey Henderson (Cambridge, MA: Harvard Univ. Press, 2000-2001), Book V, Ch. XII.

religious liberty ... was still in place and upheld judicially by those Arian powers and enforced by civil means, the scriptures could not yet be fulfilled.”

(Ok, so did the Visigothic kingdom lose its Arian jurisdiction and its ability to enforce religious liberty as a result of Vouille? Over most of Gaul? Certainly. But ”most of Gaul” represented a little less than half of the entire Visigothic kingdom, the same kingdom Heiks maintained judicially upheld the “Arian principle of religious liberty.” Heiks had already defined a horn as a “king or kingdom” on page 33; therefore, the loss of provinces or territories did not equal an uprooted kingdom, especially in light of the Molotov example Heiks himself provided. Was the principle of religious liberty upheld by the Visigothic horn and enforced by civil means after the Battle of Vouille? The answer is yes. Heiks recognized that the Council of Agde served as a “proclamation of tolerance for West Gothic Arianism”¹⁸ for Roman Catholic subjects of the Visigoths, but although the Visigoths’ territorial borders shrank significantly after Vouille, their kingdom remained; the Catholic Church within the Visigothic kingdom would not have been able to replace religious liberty with Catholic dogma in Spain and Southern Gaul. Also, Agilan’s dispute with Gregory of Tours in 570 AD confirms that religious liberty was “still in place and upheld judicially” within the Visigothic kingdom some six decades after the Battle of Vouille¹⁹ (with a few exceptions).

(So if the Visigothic kingdom continued to exist, and if it maintained Arian jurisdiction and protected religious liberty after 508 AD, then one of Heiks’ Arian kingdoms opposing “the principles or government of the Catholic Church”²⁰ was still rooted after the Battle of Vouille; its legislative branch continued to function, its means of civil enforcement continued to exist, and, most importantly, the kingdom remained an opposing Arian armament in Europe until the end of the 6th Century when the Visigoths converted to Catholicism following the Council of Toledo.) NL

[Brother Lawrence, as a historian I commend you on your knowledge and your honest use of the sources, but you have put a “human construction” upon them that the scriptures do not support, and at this point in time I believe you have done so innocently. However, at the end of this dialogue, the true motive that governs both of us as to why we do what we do and why we say what we say will be readily apparent before all. Your weakness becomes obvious when you never reference, quote, or even acknowledge the scriptures. With all due respect, some of your suppositions that you have brought forward have been based solely on a personal, private interpretation, because you have clearly walked away from the text and have failed to make the scriptures your reference point. I will now prove my point, if you please. We shall begin by addressing one of your questions: “So was the Visigothic kingdom really uprooted as a result of

¹⁸ Heidi Heiks, *AD 538 Source Book*, 65.

¹⁹ Richard North, *Heathen Gods in Old English Literature*, 151-152.

²⁰ *Ibid.*, 40.

Vouille? We can answer that question by viewing the Visigoths in light of Heiks' Molotov example.”

[No! We can answer that question only in light of the scriptures. In fact, in order to resolve the arguments being put forth, we need only to rehearse a few specific biblical specifications that pertain to the commencement of the little horn and the uprooting of the three horns of Bible prophecy. Then we will have a meter stick by which all can judge honestly and intelligently in this entire discourse as to just what the truth is, according to the scriptures and history. But remember, history will always take a back seat at first to everything that is presented. It is during the confirmation phase of prophecy, and only then, that history finds a place in the scriptures—never the other way around, as in the path taken by many others. As we proceed through this treatise, I will from time to time submit additional documents in order to capitalize on specifications that I did not include or left too much to assumption in my books because I thought they were self-explanatory, but which now I see were overlooked or misunderstood. We begin in the book of Daniel chapter 7:

Dan. 7:8 “I considered^{H1934 H7920} the horns,^{H7162} and, behold,^{H431} there came up^{H5559} among^{H997} them another^{H317} little^{H2192} horn,^{H7162} before^{H4481, H6925} whom there were three^{H8532} of^{H4481} the first^{H6933} horns^{H7162} plucked up by the roots.^{H6132} and, behold,^{H431} in this^{H1668} horn^{H7162} were eyes^{H5870} like the eyes^{H5870} of man,^{H606} and a mouth^{H6433} speaking^{H4449} great things.”^{H7260}

“I considered the horns” In 2:33 we recognized that in Bible prophecy a “horn” represents a kingdom or in the plural, kingdoms, because it’s understood that the Bible is its own interpreter. “and, behold, there came up among them...” Clearly the “them” is alluding to other horns or kingdoms that already had an established judiciary in place (very important) when the little horn is being recognized by heaven as becoming a kingdom in the new world sometime after AD 476. There is no such thing in the Bible as a “horn” in the prophetic sense being recognized as a kingdom without a legislative and judiciary branch in place. Other specifications will give us the time and place of this rise. Continuing on with our next word study,

“...Another little horn, before whom...”^{H4481, H6925} [We have previously discussed this Hebrew word *Min* or “before,” and concluded from the scriptures the following]: “It must be concluded, therefore, that the reference to the three horns’ being plucked up before the little horn gives no indication as to the timing of the 1260 days, and that any discussion based on the supposition that it does, is without value.”²¹

²¹ Ibid; footnote.

[See also 2:34-37, footnote 41-42. However, we will come back to the Hebrew word *qodam* in this text to a *very* important point that was completely over looked by Maxwell. Continuing on,]

“...Before whom there were three of the first^{H6933} horns...”

“6933. ܩܕܡܝܐ *qadmāy*: An Aramaic adjective meaning first, former. It refers to the initial item(s) in a sequence of things but also to previous item(s) with respect to a later item mentioned (Dan. 7:4, 8, 24).”²²

[Underlining mine. A more accurate translation reads: “...Before whom there were three of the former^{H6933} horns [kingdoms with a legislative and judiciary branch already in place]

“...Plucked up by the roots.”^{H6132}

[Who, then, were the “them” or the “former” established kingdoms that were to be plucked up by the roots in the New World sometime after AD 476? It had been demonstrated and documented to be the Visigoths, Vandals and Ostrogoths. Notice, the scriptures are speaking about a removal of three kingdoms during the rise of the little horn “to power,” not when she was “in power.” The scriptural specifications also reveal the allotted time period “given” to the papacy in her rise “to power” (AD 508-538 = 30yrs.), as well as to the time period “given” (Dan. 7:25, Rev. 13:5) to her by heaven during which she would be permitted to be “in power” (AD 538 to 1798 = 1260yrs.). We will briefly rehearse certain necessary issues pertaining to these time periods soon enough. First, we must continue to remove an enigma surrounding a much-misunderstood phrase in scripture found in Dan. 7:8: “plucked up by the roots.”^{H6132}

“6132. ܥܩܪ *qar*: An Aramaic verb referring to plucking up by the roots. It refers to tearing something out, destroying it, pulling it out by the roots. It is used figuratively of tearing out men or rulers (Dan. 7:8).”²³

[Underlining mine. “Plucked up by the roots.” What does the Bible mean when it says a horn or horns are plucked up by the roots? Lawrence has correctly stated my position, which is the position of the scriptures, as well:

“Simply put, the uprooting of a race is when the nationality of those peoples no longer exists. The uprooting of a kingdom occurs when its legislative branch no longer functions and its means of civil enforcement ceases to exist.”
2:75-76.

[In the prophecies of Daniel and Revelation, God has always held the accountability of a nation or kingdom to its legislative and judiciary authorities, and not the military, as the military takes orders from the legislative branch of government and acts on them; it does not give the

²² Baker, W., & Carpenter, E. E. *The Complete Word Study Dictionary: Old Testament* (Chattanooga, TN: AMG Publishers, 2003), 979.

²³ Ibid., 864-865.

orders. The “speaking” of a nation, is the action of its legislative and judicial authorities, never the voice of the military in Bible prophecy as the following scriptures and previous documents of mine have confirmed:

“Daniel 7:25 “And he shall speak²⁴ ... think to change times and laws.”

“Laws” in the plural sense are designated here: the law of God and civil law. It was legislation that ultimately “set up” the little horn in A.D. 508²⁵ and it was legislation that brought down the little horn in A.D. 1798,²⁶ and it will be legislation that sets up or resurrects *again* the beast power in the form of the image to the beast.²⁷ [See Rev. 13:15] In the final events of history, universal legislation will be the signal that brings down the little horn *again*, but this time it will be by the means of the seven last plagues.”²⁸ [See Rev. 18] 2:39-40.

[So what role, then, does the military play in the eyes of heaven in the uprooting of a horn or kingdom, as depicted in Daniel 7:8? None! In the eyes of humanity, the military may have been a means, and many follow that lead even to this day, but they do so without the endorsement of scripture, thus rendering their suppositions private interpretation. *Mark this next point with care, as the ramifications here are huge.* A prophetic horn or kingdom does *not* have to be equipped with an army to be recognized by heaven as being a kingdom. Did the “little horn” (papacy) ever have a military of its own? No! This I previously stated in my book, 2:36. Was it so considered to be a kingdom in the eyes of heaven? Yes! So then the *definition* for the uprooting of a prophetic horn or kingdom in the eyes of heaven is reserved *solely* to the “uprooting of that kingdom’s legislative and judicial branches of government,” whether there be a standing army out in the field or not. Thus saith the scriptures! The following scripture acknowledges and confirms the “little horn” had no military:

“And arms [Clovis] shall stand on his [papacy’s] part, and they [church & state] ...” Dan. 11:31.

²⁴ “The “speaking” of the nation is the action of its legislative and judicial authorities.” Ellen White, *Great Controversy*, (Nampa, ID: Pacific Press, 1911), 442.

²⁵ See my *AD 508 Source Book*.

²⁶ See my *AD 1798 1843 Source Book*.

²⁷ “When our nation shall so abjure the principles of its government as to enact a Sunday law, Protestantism will in this act join hands with popery; it will be nothing else than giving life [Rev. 13:15: “And he had power to give life....”] to the tyranny which has long been eagerly watching its opportunity to spring again into active despotism.... If popery or its principles shall again be legislated into power, the fires of persecution will be rekindled against those who will not sacrifice conscience and the truth in deference to popular errors. This evil is on the point of realization.” Ellen White, *Testimonies for the Church*, (Boise, ID: Pacific Press, 1948), 5:712.

²⁸ “Babylon the great is fallen, is fallen.... And I heard another voice from heaven, saying, Come out of her, my people, that ye be not partakers of her sins, and that ye receive not of her plagues. For her sins have reached unto heaven, and God hath remembered her iniquities.” When do her sins reach unto heaven? When the law of God is finally made void by legislation [universally]. Ellen White, *Signs of the Times*, June 12, 1893.

[The scriptures have spoken! If any man shall add unto or take away from this meaning, it will become clear before all that he speaks from his own devising.

[We now turn our attention back to the *rise* of the little horn “to power,” for a fuller overview and more Biblical specifications to what the Bible calls the “setting-up” period of the papacy that was to consist of a time span of 30 years, as we witnessed in my books. During this thirty-year time period, the scriptures declare the papacy would be permitted to “set up” her rule, or dictatorship, in the region of what is now Western Europe. To secure this end, she would need to be in league with a civil power or powers in order to uproot the Visigoths’, Vandals’ and the Ostrogoths’ legislative and judicial branches of government by the year AD 538. Daniel 11:31 confirmed just such a union. After the Ostrogothic legislative and judicial government was dismantled in AD 538, the scriptures *then* move the “little horn” to a status of “in power,” meaning in position to commence her reign of terror and persecution until the deadly wound was administrated to her by a civil state in 1798, 1260 years later, just as the scriptures had declared it would be, and as my books have proven it to be.

[There is another Biblical specification that has been totally overlooked by the masses, which has resulted in a huge array of private interpretations leading to utter confusion. In fact, this specification will prove to be another vindicating and irrefutable position for the historicist method of Biblical interpretation. Where do we find this vital piece of Biblical information? Dan. 7:8. It is the Hebrew word *q^odām*, or the English word “before”:

Dan. 7:8 “I considered the horns, and, behold, there came up among them another little horn, before^{H4481, H6925} whom there were three of the first horns plucked up by the roots: and, behold, in this horn *were* eyes like the eyes of man, and a mouth speaking great things.”

[Further Biblical specifications clarified:

4481. *𐤒* **min**: An Aramaic preposition meaning from, out of, among, more than. It means out of something, e.g., a threshing floor (Dan. 2:35) or from a specific area, e.g., a temple as a storage area (Dan. 5:2). It is used with *yad*, hand, to give the figurative idea of from the power of (Dan. 3:15). It is used to express comparison meaning different from (Dan. 7:3) or more than (Dan. 2:30). It is used to express the idea of a part of something or some group, etc. (Dan. 2:33, 41; 5:13). With *w^e’ad* following it, it expresses the temporal idea of since (Dan. 2:20; Ezra 4:15; 5:16). Followed by *dī*, it functions as a conjunction expressing cause, because (Ezra 5:11). With a pronoun suffix, it means from me, from you, etc. (Dan. 2:5). It is used to express with, to point out an instrument or agent (Dan. 4:25[22]). It expresses the idea of based on or according to, e.g., the word or command of God (Ezra 6:14). The expression *min-yasṣib* means truly, certainly (Dan. 2:8). It is used in the idiom *min-q^ešōt dī* indicating in fact, surely (Dan. 2:47). Judgment is rendered idiomatically as

6925. ܩܕܡ *q^odām*: An Aramaic preposition meaning before, in the presence of. It refers to being in front of spatially or temporally; in time (Ezra 4:18, 23; Dan. 2:9; 7:7). It has the sense of in God's judgment, before Him (Dan. 6:22[23]). It means to be afraid of something from before one (*min* (4480) *q^odāmôhî*; Dan. 7:8). It is used with words meaning to pray, to answer before (Dan. 2:10, 11, 27). It describes a decree going out from (before) a king (Dan. 2:6; 6:26[27]).³⁰

[The following paragraphs presented in smaller font were pulled from my book (2:35, footnote 41) by Mervin C. Maxwell for a thesis. Maxwell's entire reasoning here was about time, as the last paragraph clearly confirms. His conclusion was correct:

"According to Young's Concordance, the Aramaic word godam is used 31 times in the Old Testament: Three times in Ezra, and twenty seven times in Daniel. Thirty of these times it is translated 'before,' and once, 'in the presence of.' Daniel 2:27. In every case but two there is no question but that the word means 'in the presence of.' Examples of such usage include Ezra 7:19 and Daniel 6:10, 26; 7:10, 13, where the translation is 'before God.' Obviously this cannot mean 'before God was in existence,' and so must mean 'in His presence.' In Ezra 4:18 it is 'before the people.' In most other references it describes activities taking place 'before' the king, and again there is no question but that the usage is in reference to location, and not time.

"The two cases where there might be any question are in Daniel 7. Daniel 7:7 says, 'And it [the fourth beast] was diverse from all the beasts that were before it.' Here time might be indicated instead of location, but verse 12, which says the lives of the beasts were prolonged, and Revelation 13, which shows them all living in composite form even after the fall of Rome, indicate that the first three beasts stayed 'in the presence of' one another as they appeared in turn.

"The other verse where there might be a question is, of course, verse 8, the one under discussion: 'before whom there were three of the first horns plucked up by the roots. In this case the usage of godam in 29 other instances should be conclusive, but there is further evidence. In this verse and in the parallel passage, verse 20, which contains the phrase 'before whom three fell, the word godam is coupled with the word min to form the phrase min godam, meaning, literally, 'from the East.' This Aramaic idiom cannot, by any stretch of the imagination, be said to convey the sense of time. Other instances of the use of this idiom occur in Daniel 5:19 and 6:26, where reference is made to the people fearing 'before' God. Since, as above, this cannot be construed to mean 'before God existed,' it must mean 'in His presence.'

It must be concluded, therefore, that the reference to the three horns' being plucked up before the little horn gives no indication as to the timing of the 1260 days, and that any discussion based on the supposition that it does, is without value."³¹

²⁹ Baker, W., & Carpenter, E. E., *The Complete Word Study Dictionary: Old Testament*, 625-6.

³⁰ Ibid., 978, underlining mine.

³¹ Mervin C. Maxwell, *An Exegetical and Historical Examination of the Beginning and Ending of the 1260 days of Prophecy with special attention given to A. D. 538 and 1798 as Initial and Terminal Dates*. A Thesis Presented to the faculty of the Seventh-day Adventist Theological Seminary Washington, D.C. August 1951. (Andrews University, Berrien Springs, MI.), 24-26. Quoted from Heidi Heiks, *AD 538 Source Book*, Vol. 2, 35 (footnote 41).

[However, *q^odām* has another definition that had been rightly understood by Maxwell, but he never made the connection. The meaning is found: “in His presence.” However, Maxwell correctly interpreted its Biblical meaning:

“According to Young’s Concordance, the Aramaic word godam is used 31 times in the Old Testament: Three times in Ezra, and twenty seven times in Daniel. Thirty of these times it is translated ‘before,’ and once, ‘in the presence of.’” Daniel 2:27. In every case but two there is no question but that the word means ‘in the presence of.’ Examples of such usage include Ezra 7:19 and Daniel 6:10, 26; 7:10, 13, where the translation is ‘before God.’ Obviously this cannot mean ‘before God was in existence,’ and so must mean ‘in His presence.’ In Ezra 4:18 it is ‘before the people.’ In most other references it describes activities taking place ‘before’ the king, and again there is no question but that the usage is in reference to location and not time.³²

[So what is the connection? It is simply this:

[Lawrence advocates that the Visigoths were not uprooted in AD 508, as I had advocated. Lawrence points to Spain and claims that the Visigoths were not “plucked up” until the beginning of the 8th century—until that time still retaining a functioning government, commerce, etc., a historical fact that Lawrence claims I recognized and so stated in my book. So, is it true that the Visigoths in Spain were not uprooted until the beginning of the 8th century? Yes. Is it true that I recognized and so stated that belief in my book, as Lawrence claims? Yes— 2:73, to be exact. So why did and do I still reject the claims put forth by Lawrence, and upon what grounds? Because one cannot advocate that premise and also claim to stand on the Bible, because the Bible will prove the man out of step with scripture. How? It is all right here:

“In the presence of...” “There is no question but that the usage is in reference to “location” and not time.” [Emphasis mine]

[In other words, *all* the specifications of the prophecy that were given to take place between the years 508 and 538—including, of course, the uprooting of the three horns—must and did take place *only* in the “presence” of the papacy, and thus *only* in the “location” where she was able to stretch her tentacles far enough to secure her dominion during her thirty years’ crusade for power. This means that even the opposition is confined to the geographical and chronological stipulations of the scriptures for their interpretations from this day forward. This totally negates all the accusations put forward by Lawrence with just one text: “It is written...”

[During our deliberations about the uprooting of the Visigothic horn, Lawrence has also objected about my reasoning of the uprooting of the Ostrogothic horn, as well. Therefore I have decided to jump ahead to number (11) of his paper in order to address just those concerns about the uprooting of the Ostrogoths. Lawrence’s objections are as such:

³² Ibid., emphasis mine.

(11).

(“...And as shown in the above quote, Heiks also recognized that Justinian overthrew the Vandals in 534 AD. Again, it did not matter that the tide-turning battles took place in 533 AD, or that Justinian was proclaiming Africa’s reclamation in December of that year;³³ what matters is the Vandals were overthrown when the war ended in 534 AD.

(Now all Heiks has to do is apply that same reasoning to the Ostrogothic War. Did the Ostrogoths surrender in 538 AD? No. Did the war come to an end in 538 AD? No. As with the battles of Adda and Ad Decimum, did it matter that the failed siege of Rome was a tide-turning event early in the conflict? Again, no. And unlike the 7-month Vandal War, the Gothic War lasted 18 years, with the war’s momentum swinging in the Goths’ favor at times. But regardless, the last Ostrogothic king perished in 553 AD and the remains of the Gothic military negotiated an end to the conflict with General Narses shortly thereafter.³⁴ 553 AD was the year the Ostrogoths were overthrown, not 538 AD....”) NL

[The scriptures had declared there would be three prophetic horns or kingdoms uprooted between the years AD 508-538 and I will cement the accuracy of the scriptures before the end of our presentation on this topic as that is precisely what history will attest to. The three uprooted horns were the Visigoths in AD 508, the Vandals in AD 534 and as we will witness, the Ostrogoths in AD 538. In response to Lawrence’s comment on the uprooting of the Vandals, ironically in their case, their legislative and judicial branch of government fell simultaneously with their military defeat. We have already established and previously stated what the scriptures have identified as the uprooting of a prophetic horn or kingdom according to the scriptures:

“It is the uprooting of a kingdom’s legislative and judicial branches of government.”

[We also understood it makes no difference to heaven whether there is a standing army left in the field or not. Now all we have to do is apply the same specifications given to us by the scriptures to pinpoint when the Ostrogoths were no longer recognized as a kingdom in the eyes of heaven. This brings us to one question and one question alone. Did the Ostrogothic legislative and judicial branches of government cease to exist in the year AD 538? Yes! The very last specification of the scriptures to be fulfilled took place during the very last year of the thirty-year crusade for power as the prophecy had previously declared. Proof? We turn to the historian Thomas Hodgkin, in his book *The Letters of Cassiodorus*.

³³ Heidi Heiks, *AD 538 Source Book*, 94-95.

³⁴ Procopius, *History of the Wars*, Book VIII, Ch. XXXV.

[Cassiodorus was the Praetorian prefect for the Ostrogothic government. Hodgkin, having meticulously reviewed the primary sources, recounts how and when the legislative and judicial branches came to their demise. I will submit short paragraphs of his essential thoughts on the subject. As always, the full document under discussion (pages 48-54 of Hodgkin's book) will be included, so the reader will have the entire context to judge for himself. This will be followed by copies of some of the last of the original letters that were sent out of the official office of Praetorian prefect of the Ostrogothic government by Cassiodorus, cited by Hodgkin and dated by him. Having gone through the entire twelve books or letters of Cassiodorus, I have also found myself in perfect harmony with historian Theodor Mommsen's work of dating³⁵ the letters of Cassiodorus. I have found nothing that is dated by him or myself to extend past the year AD 538.

[I now submit the key remarks of Hodgkin. Emphasis is mine:

“It is possible that the Prefect may have continued to hold office down to the capture of Ravenna in May, 540, which made Witigis a prisoner, and seemed to bring the Ostrogothic monarchy to an end. *Upon the whole, [51] however, it is rather more probable that in the year 538 or 539 he finally retired from public life. The dates of his letters will show that there is nothing in them which forbids us to accept this conclusion.*” (Pages 50-51.)

[After Hodgkin surveyed the primary sources, he so stated his belief and understanding. Then on page 54, he made this declaration in a footnote following the sentence reading, “He was now sixty years of age.” The footnote reads, “Fifty-eight, *if the retirement was in 538.*”

“The line of thought indicated by the ‘De Animâ’ led in such a country as Italy, at such a time as the Gothic War, to one inevitable end—the cloister. It can have surprised none of the friends of Cassiodorus when the veteran statesman announced his intention of spending the remainder of his days in monastic retirement. *He was now sixty years of age.*³⁶ (Page 54.)

[Hodgkin's remarks state his considered conclusion that the Ostrogothic legislative and judicial branches of government ultimately terminated in the year AD 538. Hodgkin then went on to show how Cassiodorus went about gathering all the documents and tidying up all the loose ends. That is proof positive that no one was filling his place of office. I myself can attest to the fact, as do Hodgkin and Mommsen, that “[t]he dates of his letters will show that there is nothing in them which forbids us to accept this conclusion.” That is, the demise of the legislative and judicial branches of government of the Ostrogoths came in the year AD 538!

[Hodgkin wrote,

³⁵ Theodor Mommsen, *Cassiodori Senatoris Variae* (Berolini, 1894).

³⁶ Fifty-eight, if the retirement was in 538.

“I have endeavoured as far as possible to fix the dates of these later letters. It will be seen that we have one³⁷ probably belonging to the year 536, five³⁸ to 537, and one³⁹ (possibly) to 538. These later letters refer chiefly to the terrible famine which followed in the train of the war, and of which Cassiodorus strenuously labored to mitigate the severity.” (Page 50.)

[These letters were significant to Hodgkin, so we have included them for the benefit of the reader. What follows next is from Hodgkin’s *Introduction—The Life of Cassiodorus*, pages 48 to 54 in Hodgkin’s book, *The Letters of Cassiodorus*:

“[48] (Marginal Reading: Theodahad deposed, Witigis elected, Aug. 536.).

“...The onward march of Belisarius trampled all the combinations of diplomatists into the dust. In the early part of July, 536, he had succeeded in capturing the important city of Neapolis, and had begun to threaten Rome. The Gothic warriors, disgusted at the incapacity of their King, and probably suspecting his disloyalty to the nation, met (August, 536) under arms upon the plain [49] of Regeta,⁴⁰ deposed Theodahad, and elected a veteran named Witigis as his successor. Witigis at once ordered Theodahad to be put to death, and being himself of somewhat obscure lineage, endeavoured to strengthen his title to the crown by marrying Matasuentha, the sister of Athalaric and the only surviving descendant of Theodoric.

(Marginal Reading: Letter on the elevation of Witigis.)

“Whether Cassiodorus had any hand in this revolution—which was pre-eminently a Gothic movement—we cannot tell; but certainly one of the best specimens of his letters is that written in the name of the new King,⁴¹ in which he makes Witigis thus speak, ‘Universis Gothis’—not as Theodoric had so often spoken, ‘Universis Gothis et Romanis.’

“‘Unde Auctori nostro Christo gratias humillimâ satisfaction referents, indicamus parentes nostros Gothos inter procinctuales gladios, more majorum, scuto supposito, regale nobis contulisse, praestante Deo, dignitatem, ut honorem arma daren’t, cujus opinionem bella pepererant. Non enim in cubilis angustis, sed in campis, late patentibus electum me esse noveritis: nec inter blandientium delicate colloquia, sed tubis concrepantibus sum quaesitus, ut tali fremitu concitatus desiderio virtutis ingenitae regem sibi Martium Geticus populus inveniret.’

“(Marginal Reading: Letters written in name of Witigis. Share of Cassiodorus in the administration during the war.)

³⁷ Var. xii. 20.

³⁸ Var. xii. 22, 23, 24, 27, 28.

³⁹ Var. xii. 25.

⁴⁰ The situation of this plain is unknown.

⁴¹ Var. x. 31.

“We have only five letters written by Cassiodorus for Witigis (who reigned from August, 536, to May,⁴² 540). One has [*sic*] already described. All the other four are concerned with negotiations for peace with Justinian, and may probably be referred to the early part of the new reign.

“It will be seen that the letters written by Cassiodorus for the Sovereign during the five years following the death of Athalaric are few and somewhat unsatisfactory. [50] But, on the other hand, it was just during these years that he wrote in his own name as Praetorian Praefect the letters which are comprised in the Eleventh and Twelfth Books of his collection, and which are in some respects the most interesting of the whole series. There is a strong probability that he was not present at the long siege of Rome (March, 537, to March, 538), nor is it likely that he, an elderly civilian, would take much part in any of the warlike operations that followed. Upon the whole, it seems probable that during the greater part of this time Cassiodorus was, to the best of his power, keeping the civilian administration together by virtue of his own authority as Praetorian Praefect, without that constant reference to the wishes of the Sovereign which would have been necessary under Theodoric and his daughter. Perhaps, in the transitional state of things which then prevailed in Italy, with the power of the Gothic sceptre broken but the sway of the Roman Caesar not yet firmly established in its stead, men of all parties and both nationalities were willing that as much as possible of the routine of government should be carried on by a statesman who was Roman by birth and culture, but who had been the trusted counselor of Gothic Kings.

(Marginal Reading: Dates of later letters.)

“I have endeavoured as far as possible to fix the dates of these later letters. It will be seen that we have one⁴³ probably belonging to the year 536, five⁴⁴ to 537, and one⁴⁵ (possibly) to 538. These later letters refer chiefly to the terrible famine which followed in the train of the war, and of which Cassiodorus strenuously labored to mitigate the severity.

(Marginal Reading: End of Cassiodorus’ official career.)

“It is possible that the Praefect may have continued to hold office down to the capture of Ravenna in May, 540, which made Witigis a prisoner, and seemed to bring the Ostrogothic monarchy to an end. Upon the whole, [51] however, it is rather more probable that in the year 538 or 539 he finally retired from public life. The dates of his letters will show that there is nothing in them which forbids us to accept this conclusion; and the fact, if it be a fact, that in 540, when Belisarius, with his Secretary Procopius in his train, made his triumphal entry into Ravenna, the late Praefect was no longer there, but in his native Province of Bruttii, a little lessens the difficulty of that which still

⁴² We get this date only from Agnellus (loc. Cit. p. 522).

⁴³ Var. xii. 20.

⁴⁴ Var. xii. 22, 23, 24, 27, 28.

⁴⁵ Var. xii. 25.

remains most difficult of comprehension, the entire omission from Procopius' History of the Gothic War of all mention of the name of Cassiodorus.

(Marginal Reading: The *Variae* edited.)

"The closing years of the veteran statesman's tenure of office were years of some literary activity. It was in them that he was collecting, and to some extent probably revising, the letters which appear in the following collection. His motives for publishing this monument of his official life are sufficiently set forth in the two prefaces, one prefixed to the First Book and the other to the Eleventh. Much emphasis is laid on the entreaties of his friends, the regular excuse, in the sixth century as in the nineteenth, for an author or a politician doing the very thing which most pleases his own vanity. A worthier reason probably existed in the author's natural desire to vindicate his own consistency, by showing that the influence which for more than thirty years he had wielded in the councils of the Gothic Sovereigns had been uniformly exerted on the side of law and order and just government, directed equally to the repression of Teutonic barbarism and the punishment of Roman venality.

(Marginal Reading: What alterations were made in the letters.)

"The question how far the letters which now appear in the '*Variae*' really reproduce the actual documents originally issued by Cassiodorus is one which has been a good deal discussed by scholars, but with no very definite result. It is, after all, a matter of conjecture; and every student who peruses the following letters is [52] entitled to form his own conjecture—especially as to those marvelous digressions on matters of Natural History, Moral Philosophy, and the like—whether they were veritably included in the original letters that issued from the Royal Secretum, and were carried over Italy by the *Cursus Publicus*. My own conjecture is, that though they may have been a little amplified and elaborated, substantially they were to be found in those original documents. The age was pedantic and half-educated, and had lost both its poetic inspiration and its faculty of humour; and I fear that these marvelous letters were read by the officials to whom they were addressed with a kind of stolid admiration, provoking neither the smile of amusement nor the shrug of impatience which are their rightful meed.

(Marginal Reading: '*Illum atque Illum.*')

"The reader will observe that in many, in fact most of the letters which were meant to serve as credentials to ambassadors or commissions to civil servants, no names are inserted, but we have instead only the tantalizing formula, '*Illum atque Illum,*' which I have generally translated, '*A and B.*' This circumstance has also been much commented upon, but without our arriving at any very definite result. All that can be said is, that Cassiodorus must have formed his collection of State-papers either from rough drafts in his own possession, or from copies preserved in the public archives, and that, from whichever source he drew, the names in that source had not been preserved: a striking

comment on the rhetorical unbusinesslike character of the Royal and Imperial Chanceries of that day, in which words were deemed of more importance than things, and the flowers of speech which were showered upon the performer of some piece of public business were preserved, while the name of the performer was forgotten.

(Marginal Reading: Treatise ‘De Animâ.’)

“As soon as he had finished the collection of the ‘Variae,’ the Praefect—again in obedience to the entreaties of his friends—composed a short philosophic treatise on the [53] Nature of the Soul (‘De Animâ’). As he said, it seems an absurd thing to treat as a stranger and an unknown quantity the very centre of our being; to seek to understand the height of the air, the extent of the earth, the causes of storms and earthquakes, and the nature of the wandering winds, and yet to leave the faculty, by which we grasp all this knowledge, itself uncomprehended⁴⁶. He therefore sets himself to enquire, in twelve chapters:

1. Why the Soul is called Anima?
2. What is the definition of the Soul?
3. What is its substantial quality?
4. If it is to be believed to have any shape?
5. What moral virtues it has which contribute to its glory and its adornment?
6. What are its natural virtues [or powers], given to enable it to hold together the framework of the body?
7. Concerning the origin of the Soul.
8. What is its especial seat, since it appears to be in a certain sense diffused over the whole body?
9. Concerning the form and composition of the body itself.
10. Sufficient signs by which we may discern what properties the soul of sinners possess.
11. Similar signs by which we may distinguish the souls of righteous men, since we cannot see them with our bodily eyes.
12. Concerning the Soul’s state after death, and how it will be affected by the general resurrection.

[54] The treatise ends with a prayer to Christ to preserve the body in good health, that it may be in tune with the harmony of the soul; to give reason the

⁴⁶ ‘Cum jam suscepti operis fine gauderem, meque duodecim voluminibus jactatum quietis portus exciperet, ubi etsi non laudatus, certe liberates adveneram, amicorum me suave collegiums in salum rursus cogitationis expressit, postulans ut aliqua quae tam in libris sacris, quam in saecularibus abstruse compereram de animae substantiâ, vel de ejus virtutibus aperirem, cui datum est tam ingentium rerum secreta reserare: addends nimis ineptum esse si eam per quam plura cognoscimus, quasi a nobis alienam ignorare patiamur, dum ad anima sit utile nosse qua sapimus’ (De Animâ, Praefatio).

ascendancy over the flesh; and to keep the mind in happy equipoise, neither so strong as to be puffed up with pride, nor so languid as to fail of its proper powers.

(Marginal Reading: Cassiodorus retires to the cloister.)

The line of thought indicated by the ‘De Animâ’ led in such a country as Italy, at such a time as the Gothic War, to one inevitable end—the cloister. It can have surprised none of the friends of Cassiodorus when the veteran statesman announced his intention of spending the remainder of his days in monastic retirement. He was now sixty years of age⁴⁷; his wife, if he had ever married, was probably by this time dead; and we hear nothing of any children for whose sake he need have remained longer in the world. The Emperor would probably have received him gladly into his service, but Cassiodorus had now done with politics. The dream of his life had been to build up an independent Italian State, strong with the strength of the Goths, and wise with the wisdom of the Romans. That dream was now scattered to the winds. Providence had made it plain that not by this bridge was civilisation to pass over from the Old World to the New. Cassiodorus accepted the decision, and consecrated his old age to religious meditation and to a work even more important than any of his political labours (though one which must be lightly touched on here), the preservation by the pens of monastic copyists of the Christian Scriptures, and of the great works of classical antiquity....⁴⁸

[This concludes the remarks of Hodgkin. We now present the letters of Cassiodorus himself, taken from Hodgkin’s work. All bracketed statements therein are Hodgkin’s.] HH

⁴⁷ Fifty-eight, if the retirement was in 538.

⁴⁸ Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 48-54.

Cassiodori Variae.

[The Letters of Cassiodorus]

Book XII. Letter 20. AD 536.

20. SENATOR, PRAETORIAN PRAEFECT, TO THOMAS AND PETER, VIRI CLARISSIMI AND ARCARI.

(Margin: Sacred vessels mortgaged by Pope Agapetus to be restored to the stewards of the Papal See.)

‘You will remember, most faithful Sirs, that when the holy Agapetus, Pope of the City of Rome, was sent as ambassador to the Sovereign of the East⁴⁹, he received so many pounds of gold from you for the expenses of the journey, for which he gave his bond⁵⁰ and deposited some of the Church plate as security⁵¹. The provident ruler thus lent him money in his necessity, and now, far more gloriously, returns as a free gift those pledges which the Pope might well have thanked him for taking.

‘Therefore, in obedience to these instructions of ours, and fortified by the Royal order, do you return without any delay to the stewards⁵² of the holy Apostle Peter the vessels of the saints together with the written obligation, that these things may be felt to be profitably restored and speedily granted, that the longed-for means of performing their world-famous ministrations may be replaced in the hands of the Levites. Let that be given back which was their own, since that is justly received back by way of largesse which the Priest had legally mortgaged.

‘Herein is the great example of King Alaric surpassed. He, when glutted with the spoil of Rome, having received the vessels of the Apostle Peter from his men, when he [511] heard the story of their seizure, ordered them to be carried back across the sacred threshold, that so the remembrance of the cupidity of their capture might be effaced by the generosity of their restoration.

‘But our King, with religious purpose, has restored the vessels which had become his own by the law of mortgage. In recompense for such deeds frequent prayer ought to ascend, and Heaven will surely gladly grant the required return for such good actions.’

[There are in this letter several extremely obscure sentences as to the generosity of Theodahad. As the Papal journey was undertaken by

⁴⁹ He was sent by Theodahad; entered Constantinople February 20, 536, and died there 21st April of the same year.

⁵⁰ ‘Facto pictacio.’

⁵¹ ‘Vasa sanctorum.’ One would think this must refer to the vessels used in celebrating mass; but I do not quite see how the meaning is to be got out of the words.

⁵² ‘Actoribus’

Theodahad's orders, it was a piece of meanness, quite in keeping with that King's character, to treat the advance of money for the journey as a loan, and to insist on a bond and the deposit of the Church plate as a security for repayment. Cassiodorus evidently feels this; and very probably the restoration of the vessels and the quittance of the debt had been insisted on by him. But the more he despises his master's shabbiness, the more he struggles through a maze of almost nonsensical sentences, to prove that he has committed some very glorious action in lending the money and then forgiving the debt.]]⁵³

[513] 22. SENATOR, PRAETORIAN PRAEFECT, TO THE PROVINCIALS OF ISTRIA.

[This letter was written Sept. 1, 537, probably in consequence of the scarcity which the operations of Belisarius were already causing at Ravenna. Apparently the whole taxes levied from a Province at an Indiction were divided into two heads: so much for the central authority, and so much for the Province. Cassiodorus in this and the following letter says in effect: 'All the State's share of the taxes we will take not in money, but in your staple products, corn, wine, and oil. The rest goes as usual to the Province; but owing to the scarcity at Ravenna we shall be glad to buy all that can be spared either by the authorities of the Province or by individuals, whether farmers or merchants.']

'The true way to prevent the requirements of the public revenue from becoming oppressive, is to order each Province to supply those products in which it is naturally most fertile.

(M: Requisition from Province of Istria.) 'Now I have learned by conversation with travelers that the Province of Istria is this year especially blessed in three of its crops-wine, oil, and corn. Therefore let her give of these products the equivalent of . . . solidi, which are due from you in payment of tribute for this first Indiction⁵⁴: while the remainder we leave to that loyal Province for her own regular expenses. But since we require a larger quantity of the above mentioned products, we send . . . solidi from our state chest for the purchase of them, that these necessities may be collected for us with as little delay as possible. Often when you are desirous to sell you cannot find a purchaser, and suffer loss accordingly. How much better is it to obey the requirements of [514] your Lords than to supply foreigners; and to pay your debts in the fruits of the soil, rather than to wait on the caprices of a buyer!

'We will ourselves out of our love of justice state a fact of which you might otherwise remind us, that we can afford to be liberal in price because we are

⁵³ Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 510-511.

⁵⁴ The first Indiction was from September 1, 537, to September 1, 538.

not burdened by the payment of freights [on account of your nearness to the seat of government]. For what Campania is to Rome, Istria is to Ravenna – a fruitful Province abounding in corn, wine, and oil; so to speak, the cupboard of the capital. I might carry the comparison further, and say that Istria can show her own Baiae in the lagunes with which her shores are indented⁵⁵, her own Averni in the pools abounding in oysters and fish. The palaces, strung like pearls along the shores of Istria, show how highly our ancestors appreciated its delights⁵⁶. The beautiful chain of islands with which it is begirt, shelter the sailor from danger and enrich the cultivator. The residence of the Court in this district delights the nobles and enriches the lower orders; and it may be said that all its products find their way to the Royal city. Now let the loyal Province, which has often tendered her services when they were less required, send forward her stores freely.

‘To guard against any misunderstanding of our orders, we send Laurentius, a man of great experience, whose instructions are contained in the annexed letter.

‘We will publish a tariff of moderate prices when we next address you and when we have ascertained what is the yield of the present crops; for we should be deciding quite at random before we have received that information.’⁵⁷

[515] 23. SENATOR, PRAETORIAN PRAEFECT, TO LAURENTIUS, VIR EXPERIENTISSIMUS⁵⁸.

[M: The same subject.] ‘Anyone can discharge the duties of the Commissariat in a time of abundance. It is a mark of our high appreciation of your experience and efficiency, that we select you for this service in a time of scarcity. We therefore direct you to repair to the Province of Istria, there to collect stores of wine, oil, and corn, equivalent to . . . solidi, due from the Province for land-tax⁵⁹, and with . . . solidi which you have received from our Treasurer to buy these products either from the merchants or from the peasants directly, according to the information prepared for you by the Cashiers⁶⁰. Raise your spirits for this duty, and discharge it in a manner worthy of your past reputation. Make to us a faithful report of the yield of the coming harvest,

⁵⁵ Here follows this sentence: ‘Haec loca garismatia plura nutriunt.’ Garum seems to have been a sauce or something like anchovy-sauce. Garismatium is evidently a garum-supplying place.

⁵⁶ We have a special allusion in Martial (iv. 25) to the villas of Altinum, and he too compares them to those of Baiae.

⁵⁷ Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 513-514.

⁵⁸ Evidently ‘the annexed letter’ referred to in No. 22.

⁵⁹ ‘Ut in tot solidos vini, olei, vel tritici species de tributario solido debeas procurare.’

⁶⁰ ‘Sicut te a Numerariis instruxit correcta Notitia.’ Note this use of the word ‘Notitia’, as illustrating the title of the celebrated document bearing that name.

under these three heads⁶¹, that we may fix a tariff of prices which shall be neither burdensome to the Provincials nor injurious to the public service.’’⁶²

24. SENATOR, PRAETORIAN PRAEFECT, TO THE TRIBUNES OF THE MARITIME POPULATION⁶³.

(M: First historical notice of Venice.)

‘We have previously given orders that Istria should send wine and oil, of which there are abundant crops [516] this year, to the Royal residence at Ravenna. Do you, who possess numerous ships on the borders of the Province, show the same devotion in forwarding the stores which they do in supplying them.

‘Be therefore active in fulfilling this commission in your own neighbourhood, you who often cross boundless distances. It may be said that [in visiting Ravenna] you are going through your own guest-chambers, you who in your voyages traverse your own home⁶⁴. This is also added to your other advantages, that to you another route is open, marked by perpetual safety and tranquility. For when by raging winds the sea is closed, a way is opened to you through the most charming river scenery⁶⁵. Your keels fear no rough blasts; they touch the earth with the greatest pleasure, and cannot perish however frequently they may come in contact with it. Beholders from a distance, not seeing the channel of the stream, might fancy them moving through the meadows. Cables have been used to keep them at rest: now drawn by ropes they move, and by a changed order of things men help their ships with their feet. They draw their drawers without labour, and instead of the capricious favour of sails they use the more satisfactory steps of the sailor.

⁶¹ Corn, wine, and oil.

⁶² Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 515.

⁶³ Written shortly after Sept. 1, 537. This is the celebrated letter to which Venetian historians point as evidence of the existence of their city (or at least of the group of settlements out of which their city sprang) in the Sixth Century. We may set side by side with it the words of the Anonymous Geographer of Ravenna (in the Seventh Century), ‘In patria vero Venetiae sunt aliquantae insulae, quae hominibus habitantur.’

The address, *Tribunis Maritimorum*, looks as if there were something like a municipal government established in these islands. Tribune was at this time generally, but not exclusively, a military title. Compare the Tribune Fori Suarii and Tribune Rerum Nitentium of the Notitia (Occidens iv. 10 and iv. 17). But there can be no doubt. From the tone of this letter, that the islanders were subjects of the Ostrogothic King.

⁶⁴ An obscure sentence: ‘Per hospitia quodammodo vestra discurretis qui per patriam navigates.’ The idea seems to be: ‘You have to sail about from one room to another of your own house, and therefore Ravenna will seem like a neighbouring inn.’

⁶⁵ The next four sentences describe the movement of the ships when towed along the channels of the streams (Brenta, Piave, Tagliamento, & etc.) the deposits from which have made the lagunes.

‘It is a pleasure to recall the situation of your dwellings as I myself have seen them, Venetia the praiseworthy⁶⁶, formerly full of the dwellings of the nobility, [517] touches on the south Ravenna and the Po, while on the east it enjoys the delightsomeness of the Ionian shore, where the alternating tide now discovers and now conceals the face of the fields by the ebb and flow of its inundation. Here after the manner of water-fowl have you fixed your home. He who was just now on the mainland finds himself on an island, so that you might fancy yourself in the Cyclades⁶⁷, from the sudden alterations in the appearance of the shore.

‘Like them⁶⁸ there are seen amid the wide expanse of the waters your scattered homes, not the product of Nature, but cemented by the care of man into a firm foundation⁶⁹. For by a twisted and knotted osier-work the earth there collected is turned into a solid mass, and you oppose without fear to the waves of the sea so fragile a bulwark, since forsooth the mass of waters is unable to sweep away the shallow shore, the deficiency in depth depriving the waves of the necessary power.

‘The inhabitants have one notion of plenty, that of gorging themselves with fish. Poverty therefore may associate itself with wealth on equal terms. One kind of food refreshes all; the same sort of dwelling shelters all; no one can envy his neighbour’s home; and living in this moderate style they escape that vice [of envy] to which all the rest of the world is liable.

‘Your whole attention is concentrated on your saltworks. Instead of driving the plough or wielding the sickle, you roll your cylinders. Thence arises your whole crop, when you find in them that product which you have not manufactured⁷⁰. There it may be said is your [518] subsistence-money coined⁷¹. Of this art of yours every wave is a bondservant. In the quest for gold a man may be lukewarm: but salt every one desires to find; and deservedly so, since to it every kind of meat owes its savour.

‘Therefore let your ships, which you have tethered, like so many beasts of burden, to your walls, be repaired with diligent care: so that when the most experienced Laurentius attempts to bring you his instructions, you may hasten forth to greet him. Do not by any hindrance on your part delay necessary

⁶⁶ ‘Venetiae praedicabiles.’ An allusion, no doubt, as other commentators have suggested, to the reputed derivation of Venetia from *Alveroi*, ‘the laudable.’

⁶⁷ Alluding probably to the story of the floating island of Delos.

⁶⁸ ‘Earum similitudine.’ Does Cassiodorus mean ‘like the water-fowl,’ or ‘like the Cyclades?’

⁶⁹ The reading of Nivellius (followed by Migne), ‘Domicilia videntur sparsa, quae Natura non protulit sed hominum cura fundavit,’ seems to give a better sense than that of Garet, who omits the ‘non’.

⁷⁰ ‘Inde vobis fructus omnis enascitur, quando in ipsis, et quae non facitis possidetis.’

⁷¹ ‘Moneta illic quodammodo percutitur victualis.’ Some have supposed that these words point to a currency in salt; but I think they are only a Cassiodorian way of saying ‘By this craft ye have your wealth.’

purchases which he has to make; since you, on account of the character of your winds, are able to choose the shortest sea-track⁷² .”⁷³

25. SENATOR, PRAETORIAN PRAEFECT, TO HIS DEPUTY⁷⁴
AMBROSIUS, AN ILLUSTRIS.

[This letter appears to have been written in the early autumn of 538, about a year after the three last letters, and also after Letters 27 and 28, which precede it in order of date, though they follow it in this collection. For an account of the terrible famine in Italy, the beginning of which is here described, see Procopius, *De Bello Gotthico* ii. 20.]

(M: Famine in Italy.)

‘Since the world is not governed by chance, but by a Divine Ruler who does not chance His purposes at random, men are alarmed, and naturally alarmed, at the extraordinary signs in the heavens, and ask with anxious hearts what events these may portend. The Sun, first of stars, seems to have lost his wonted light, and appears of a bluish colour. We marvel to see no shadows of our [519] bodies at noon, to feel the mighty vigour of his heat wasted into feebleness, and the phenomena which accompany a transitory eclipse prolonged through a whole year.

‘The Moon too, even when her orb is full, is empty of her natural splendor. Strange has been the course of the year thus far. We have had a winter without storms, a spring without mildness, and a summer without heat. Whence can we look for harvest, since the months which should have been maturing the corn have been chilled by Boreas? How can the blade open if rain, the mother of all fertility, is denied to it? These two influences, prolonged frost and unseasonable drought, must be adverse to all things that grow. The seasons seem to be all jumbled up together, and the fruits, which were wont to be formed by gentle showers, cannot be looked for from the parched earth. But as last year was one that boasted of an exceptionally abundant harvest, you are to collect all of its fruits that you can, and store them up for the coming months of scarcity, for which it is well able to provide. And that you may not be too much distressed by the signs in the heavens of which I have spoken, return to the consideration of Nature, and apprehend the reason of that which makes the vulgar gape with wonder.

⁷² This is the only translation I can suggest of ‘quatenus expensas necessarias nulla difficultate tardetis, qui pro qualitate aeris compendium vobis eligere potestis itineris.’

⁷³ Thomas Hodgkin, *The Letters of Cassiodorus*, 515-518.

⁷⁴ ‘Agenti vices.’ See note on xi. 4.

‘The middle air is thickened by the rigour of snow and rarefied by the beams of the Sun. This is the great Inane, roaming between the heavens and the earth. When it happens to be pure and lighted up by the rays of the sun it opens out its true aspect⁷⁵; but when alien elements are blended with it, it is stretched like a hide across the sky, and suffers neither the true colours of the heavenly bodies to appear nor their proper warmth to penetrate. This often happens in cloudy weather for a time; it is only its extraordinary prolongation which has produced these disastrous effects, [520] causing the reaper to fear a new frost in harvest, making the apples to harden when they should grow ripe, souring the old age of the grape-cluster.

‘All this, however, though it would be wrong to construe it as an omen of Divine wrath, cannot but have an injurious effect on the fruits of the earth. Let it be your care to see that the scarcity of this one year does not bring ruin on us all. Even thus was it ordained by the first occupant of our present dignity⁷⁶, that the preceding plenty should avail to mitigate the present penury.’”⁷⁷

[521] 27. SENATOR, PRAETORIAN PRAEFECT, TO DATIUS⁷⁸, BISHOP OF MILAN.

(M: Relief of famine-stricken citizens of Ticinum and Dertona.).

‘It is most fitting that good and holy men should be made the stewards of the Royal bounty. We therefore request your Holiness, in accordance with the King’s commands, to open the granaries at Ticinum⁷⁹, and Dertona⁸⁰, and sell millet thereat to the starving people at the rate of 20 modii per solidum⁸¹. We are anxious that you should do this, lest the work should fall into venal hands which would sell the King’s bounty to those who are able to provide for themselves. It is the poor, not the rich, that we wish to help: we would pour our bounty into empty vessels. Let not then your Holiness think this work of compassion unworthy of your sacred office. In order to assist you we have sent A and B, who will simply obey the orders of your Holiness, doing nothing of their own motion.

⁷⁵ ‘Vestros (?) veraciter pandit aspectus.’

⁷⁶ Joseph, Praetorian Praefect of Egypt under Pharaoh.

⁷⁷ Thomas Hodgkin, *The Letters of Cassiodorus*, 518-520.

⁷⁸ Cassiodorus, like Procopius, spells this name with a ‘t’. Some of the ecclesiastical writers spell it with a ‘c’.

⁷⁹ Pavia.

⁸⁰ Tortona.

⁸¹ Twelve shillings for twenty pecks, or about nineteen shillings and twopence a quarter; not a very low price, one would think, for such a grain as millet.

Datius is ordered to sell *tertiam portionem* of this millet. Probably this expression has the same meaning as the ‘*tertia illatio*’ of xi. 37.

In the similar letter, x. 27, ‘*tertia portio*’ (whether of wheat or millet is not stated) is to be sold at 25 modii per solidum.

‘Send us an account of the solidi received in payment for the said millet, that they may be stored up with our Treasurer⁸², in order to replace the before-mentioned grain, and thus provide a reserve for future times of scarcity; like a garment taken to pieces that it may be made up again as good as new.

[522] [It is not very easy to assign a date to this letter. The mention of the famine would incline us to assign it to 538, as that seems to have been the year when the full force of the famine was felt in Italy (see Procopius, *De Bello Gotthico* ii. 20, where 538 and 539 seem to be marked as the two great famine years). But very early in 538 the Bishop of Milan, the same Datius to whom this letter is addressed, visited Rome to entreat Belisarius to send a small garrison to occupy Milan, which had already revolted, or was on the verge of revolting, from the Gothic King. As soon as the siege of Rome was raised Belisarius complied with this request, and sent 1,000 men, under Mundilas, to escort Datius back to Milan. This expedition set forth probably in April 538, and as soon as it arrived at Milan that city openly proclaimed its defection from Witigis and its allegiance to the Emperor. It was soon besieged by Uraias, nephew of Witigis, by whom in the following year (539) it was taken. The city, we are informed, was rased to the ground, and Bishop Datius escaped to Constantinople. Evidently we have here a continuous chain of events, which makes it impossible for us to date this letter in 538 or any subsequent year.

We ought probably therefore to assign it to the autumn of 537, and to look upon it as an attempt (unsuccessful, as it proved) to retain Datius and the citizens of Milan on the side of the Goths. We know from the Twenty-second Letter of this book that signs of scarcity had already shown themselves in Italy by the 1st September, 537; and in an interesting passage of the ‘*Historia Miscella*’ (Book xvi.), famine in Liguria, the year 537, and the name of Datius are all combined. ‘*Praeter belli instantiamangebatur insuper Roma famis penuriâ: tanta siquidem per universum mundum eo anno [the year of the siege of Rome], maxime apud Liguriam fames excreverat, ut sicut vir sanctissimus Datius Mediolanensis [523] antistes retulit, pleraeque matres infelicium natorum membra comederent.*’ I owe this reference to Baronius.]⁸³

28. AN EDICT [ADDRESSED TO THE LIGURIANS].

(M: Relief of inhabitants of Liguria.). ‘Divine Providence uses adversity as a means of testing our characters. Famine has afflicted the Provinces, but the result of it has been that they have proved more fully than before the bounty of their King. Rejoice herein, oh ye Ligurians! For when, as you will remember, on a previous occasion the savage temper of your neighbours was aroused, and

⁸² ‘Arcarius’

⁸³ Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 521-523.

Aemilia and your Liguria were shaken by an incursion of the Burgundians, who waged a sneaking campaign by reason of their nearness to your territory, suddenly the renown of the insulted Empire⁸⁴ arose like the sin in his strength. The enemy mourned the ruin which was caused by his own presumption, when he learned that that man was Ruler of the Gothic race whose rare valour he had experienced when he was still a private soldier⁸⁵. How often did the Burgundian wish that he had never left his own frontiers to be compelled to fight with such an adversary as our Sovereign; for though he found with relief that he escaped his actual presence in the field, none the less did his rashness bring him in contact with the good fortune of his arms. For when with redoubled [524] fortitude⁸⁶ the Goths turned to the prosecution of the war, with such successfully combined operations did they strike the bands of the rebels, that you would have thought those were all armed men, there were all defenceless⁸⁷. Such was the just judgment of God, that the robber should perish in those very plains which he had presumed to desolate. Exult now, oh Province, adorned with the carcasses of thine adversaries! rejoice, oh Liguria, at the heap of dead bodies! If the harvest of corn is denied thee, the harvest of dead enemies shall not be wanting. Tribute thou mayest not be able to offer to thy King, but the triumphs which are won in thy land thou canst offer with pride.

⁸⁸To these triumphs must be added the lately foiled plunder-raid of the Alamanni, so checked in its very first attempts that their entrance and exit were almost one event, like a wound well and opportunely cauterised. Thus were the excesses of the presumptuous invader punished, and the subjects of our King were saved from absolute ruin. I might indeed enumerate to you what crowds of the enemy fell in other places, but I turn rather-such is human nature-to more joyful themes, and revert to the point with which I at first commenced, namely that the Sovereign who has saved you from the hostile sword is determined now to avert from your Province the perils of famine.

‘In this new war the citadels are well-stored granaries; Starvation is the dreaded foe: if they are closed she [525] enters; by opening them wide she is put to flight. I know not what the world in general may think of the relative merit of these two campaigns of our King. For my part, though I recognise it as

⁸⁴ Literally, ‘of the present Empire:’ ‘subito praesentis Imperii tanquam solis ortus fama radiavit.’ I avoid the word ‘present’, because of its ambiguity. Observe the use of ‘Imperii’ applied to the Gothic Kingdom.

⁸⁵ ‘Quando illum cognovits nominatae (?) gentis esse Rectorem, quem sub militis nomine probaverat esse singularem.’ This evident allusion to Witigis obliges us to place the date of this Burgundian invasion not much earlier than the summer of 536, when Witigis was raised to the throne. Apparently the Burgundians were already in Italy when they heard the news of that event.

⁸⁶ ‘Ut Gothi ad belli stadium geminâ se fortitudine contulerunt.’ These words perhaps allude to the necessity of fighting two enemies at once, Belisarius and the Burgundians; or perhaps to the existence of two Gothic armies, whose combined operations are indicated by the following words, ‘prospera concertatione.’

⁸⁷ ‘Quasi inde nudos hinc stare contigisset armatos.’ ‘Hinc’ and ‘inde’ refer to geographical position, not to the order of the words in the sentence.

⁸⁸ See von Schubert’s ‘Unterwerfung der Alamannen,’ pp. 57-59, for a careful analysis of the following paragraph.

the mark of a brave man to have fought a winning battle, I think it is something above mere human valour to have conquered penury.

‘In addition to these benefits the King has remitted one-half of the taxes of the Province, that he might not sadden with the one hand those whom he was gladdening with the other. Herein he compares favourably with Joseph, who sold corn to the Egyptians, but on such terms that they lost their personal freedom. Doubtless that holy man was placed in a dilemma between the necessity of satisfying a covetous King on the one hand, and that of rescuing a starving people on the other. Still I must think that the Egyptian, whose life was preserved, groaned over the loss of his liberty; and if I may say so, with all respect to so great a patriarch⁸⁹, far nobler is it to sell corn to freemen who remain freemen, and to lighten their taxes on account of poverty. This is really a gratuitous distribution, when both the money with which to buy is handed over to you [by the abatement of tribute], and a price is fixed on purpose to please you.

‘The generosity of the State therefore will sell 25 modii, when the peasant has lost his crops, at the price at which 10 are usually sold⁹⁰. Humanity has altered the usual course of affairs, and by a strange kind of chaffering, but one which truly becomes a King, just when the famished peasant is willing to offer us an [526] enhanced price for food, we are directed to offer it to him for a smaller one.

‘The King himself had seen your calamity, and thereupon bestowed on you previously one favour. Now, on hearing of its continuance, he adds to it a second. Happy calamity, which forced itself on the notice of such an eye-witness!

‘Now, oh Ligurian, rejoice in the good fortune which has come to thee. Compare thy lot with the Egyptian’s and be happy. He was fed, but lost his freedom; thou art fed, and at the same time defended from thy enemies. Joseph gave back the purchase-money to his brethren in their sacks, showing a greater kindness to his kindred than to his subjects. Our King shows no such partiality, but bestows on all the taxpayers larger benefits than he did on his brethren. Happy age! in which Kings may be likened, not to Kings, but to Prophets, and yet bear away the palm.

‘But that we may not longer detain you from the desired enjoyment of the Royal benefits, know that our commands have been given to those whose business it is to attend to this affair, that, according to the tenour of this edict, the generosity of the Sovereign may penetrate into your homes.’

⁸⁹ ‘Pace tanti patris dixerim.’

⁹⁰ Probably one solidus: making the largesse price 15s. 4d. a quarter (about four shillings less than the price named in the preceding letter for millet); while the market price was 38s. 4d. a quarter. I read these sentences thus: ‘Vendit itaque largitas publica vicenos quinque modios, dum possessor invenire non posuit, ad denos. Ordinem rerum saeculi mutavit humanitas.’ The construction is harsh and elliptical, but this makes sense, which the ordinary punctuation, throwing ‘ad denos’ into the following sentence, does not.

[The same considerations which were applied to the date of the preceding letter seem to require that this also be dated in 537. After the raising of the siege of Rome (March, 538), by the despatch of Imperial troops into Liguria, and the enthusiastic adherence of that Province to the Imperial cause, a new state of things was established, and one to which the language of this letter would have been utterly inapplicable.

There are two events of which we have no other knowledge than that furnished by this letter: the invasion of the Burgundians, and the ravages of the Alamanni in the Province of Liguria.

(1) The invasion of the Burgundians seems, as stated [527] in a previous note, to have occurred in the spring or early summer of 536; so that Cassiodorus could represent the invaders as surprised and disheartened by learning of the elevation of Witigis. It no doubt formed part of those hostile operations of the Frankish Kings described by Procopius (*De Bello Gotthico* i. 13), the termination of which was purchased by Witigis by the cession of Provence and the payment of a subsidy. It is interesting to observe, however, that the Burgundians, notwithstanding their subjugation in 534, and their incorporation in the Frankish monarchy, are still spoken of as conducting an invasion on their own account. This is just like the invasion of Italy in 553 by the Alamannic brethren, and is quite in keeping with the loosely compacted character of the Merovingian monarchy, in which it was copied by the Anglian and Saxon Kingdoms.

(2) For the ravages of the Alamanni consult, as before stated, von Schubert's monograph. This passage quite confirms his view of the events connected with the overthrow of the Alamannic Kingdom by Clovis. A remnant of the people, settled as refugees in Raetia under Theodoric's protection, now, in the decline of the Ostrogothic monarchy throw off their allegiance to his successors, and press forward over the Alps to share the spoil of Italy. Witigis, however, notwithstanding his struggle with Belisarius, is still able promptly to repel this incursion; but it co-operates with the Burgundian invasion and the inclement spring and summer of 537 to bring about the famine in Liguria in the autumn of that year.]⁹¹

The End.

⁹¹ Thomas Hodgkin, *The Letters of Cassiodorus* (London: Henry Frowde, 1886), 523-527.

[In this same section we have called number **(02)**, we will address just one more issue before we move into number **(03)**:

(Regarding the Visigoths, Heiks believes they were the first of three horns to be plucked up by the roots when Clovis defeated the Visigoths at the Battle of Vouille in 507 AD (He also claimed the latest academic scholarship supported the 508 AD date);⁹² however, since his book was published, more recent scholarship has upheld 507 AD,⁹³ scholarship that actually comes to us from one of Heiks' highly touted sources."⁹⁴) NL

[The source you mention I have not read, at this point, but I do know that the deadly wound of the papacy took place in 1798. That is indisputable and according to the scriptures. 1290 years from 1798 brings one to 508, not 507, according to the scriptures. I welcome anyone to take the specifications from the scriptures to try to prove that the deadly wound did not take place in 1798. I am curious, though. Have the authors of that source you mention addressed the following primary documents by Cassiodorus: one dated June 24, 508—found in my AD 508 Source Book, chapter 2—and another on page 79? After all, the reports received by Cassiodorus were not just eyewitness “journalistic” accounts, but were from those literally involved, informing us of the ongoing war. We know that, after the war, Clovis retired to his capitol in Paris, so how can Clovis be on the battlefield and in Paris at the same time? Please explain.] HH

(03).

“‘We shall exert Ourselves in every way’ is legally confirmed by the legislative support from the state that the church canons received. Codex I.3.44 of Justinian’s law codes, for example, was implemented on October 18, A.D. 530, thereby giving total authority to the canons of the synods.” 2:280-1.

‘Whatever the holy canons prohibit, these also by our own laws forbid.’

“This codex alone was sufficient to elevate the laws of the church to equality with the laws of the state. Having been accorded this political backing, church canons had to be obeyed by all.” 2:180-1.

⁹² Heidi Heiks, *AD 508 Source Book*, 40.

⁹³ Ralph W. Mathisen & Danuta Shanzer, *The Battle of Vouillé, 507 CE: Where France Began*.

⁹⁴ Heidi Heiks, *AD 508 Source Book*, xvii-xviii.

(Not just any church canons, but the ones contained within the body of canon law at the time. Those were the laws of the church that Justinian elevated to the level of the state, and to which he gave total authority. Regarding the excerpt shown above, the emperor was referring to Canon 26 of the Holy Apostles that had become Canon 14 of the Council of Chalcedon.⁹⁵ It was an edict stipulating that only readers and chanters among the single clergy were allowed to marry.

(Heiks seems to be suggesting *(and you have confirmed in your own writings)*⁹⁶ that “*whatever the holy canons prohibit*” extended to any subsequent church canon when he said “*church canons had to be obeyed by all,*” but that couldn't possibly have been Justinian's meaning, especially since the emperor would never grant local councils the power to enact canons that might supercede or nullify his own legislation. This can be illustrated by looking at the third Council of Orleans; it produced a canon in 538AD forbidding Sunday rural labor within the Frankish domain. Heiks refers to this canon several times in his *A.D. 538 Source Book* (pgs.269-271), but the canon would have directly contradicted Constantine's 321AD edict protecting Sunday rural labor.⁹⁷ Justinian had already incorporated Constantine's edict into his Code by the time Orleans III convened, and Heiks confirmed that Justinian's legislation was “*never altered or retracted in any way from 534 to the end of Justinian's reign in 565*”.⁹⁸ In fact, Constantine's protection of Sunday rural labor was upheld in the Eastern Empire until the 10th Century when Emperor Leo VI repealed it.⁹⁹ So although the prohibitions of Orleans III may have been binding within the Frankish kingdom, Justinian did not give total authority to the church canons of just any synod.

(Ironically, my understanding on this issue appears to coincide with Le Roy Froom, of all people. His commentary on Novel 131 recognized that Justinian “*meant to enforce the canons of all the councils in the ancient collection as current in his day, up to and including Chalcedon.*”

¹⁰⁰ Froom's view was that, through Novel 131, “*Justinian also incorporated into the imperial Civil Law the body of canon law recognized in the church.*”¹⁰¹ Froom did not connect this elevation of church law to the 530AD codex, and if the emperor's desire to forbid whatever the holy canons forbade had been satisfied by his 530AD law then their elevation in Novel 131 was redundant and unnecessary. NL

⁹⁵ Andre J. Queen, *Old Catholic: History, Ministry, Faith & Mission*, 172: “As to bachelors who have entered the clergy, we allow only anagnosts (Readers) and psalts (Chanters) to marry, if they wish to do so.” (Canon XXVI of the Holy Apostles, Canon XIV of the Council of Chalcedon)

⁹⁶ Marcos S., article *Historicism & the 1260 Year Interpretation of Protestantism*, 10: “From October 18, A.D. 530, onward, whenever the church passed any canon law in one of its synods, it was IMMEDIATELY supported and enforced by the civil authorities, according to the edicts of Justinian's law codes in the Corpus Juris Civilis.”

⁹⁷ Scott, S. P., trans., ed., *The Civil Law* [of Justinian], Book 3.12.3.

⁹⁸ Heidi Heiks, *AD 538 Source Book*, 178.

⁹⁹ Scott, S. P., trans., ed., *The Civil Law* [of Leo], Constitution 54.

¹⁰⁰ LeRoy Froom, *Prophetic Faith of Our Fathers*, Vol. I, 934-935.

¹⁰¹ Ibid.

[Quoting Lawrence: “Not just any church canons, but the ones contained within the body of canon law at the time.” That is exactly right, and my entire book was about how the legislative branch of the church and the legal aspirations of the state (the “setting up” of this diverse kingdom) were progressing steadily from AD 508 to 538 in *all* the provinces she had conquered in her thirty-year crusade. Having documented the union of the church with the state’s legislative branch in the West, with such a union already in place in the East, as well, there was and is nothing else that needs to be said. Your comment about Novel 131 being “redundant and unnecessary” was unwarranted, because in Justinian’s *Corpus Juris*, Justinian was redundant in numerous other places. On a side issue:

[“The emperor would never grant local councils the power to enact canons that might supersede or nullify his own legislation.” While this is not even the subject matter, I will comment on that statement. Of course he wouldn’t grant that. Any historian who reads anything about Justinian knows that no-one would be permitted to supersede Justinian, including the pope. History itself attests with this example:

“A.D. 528 The Decree that laid the Foundation for the Political Power of the Papacy as described by Gregorovius:

“As Arians remained outside the Roman Church, it came to pass that the Pope, as head of Catholic Christendom, felt himself raised above the heretical kings, and thus, standing between them and the orthodox Emperor (*whom they recognized at the same time as their Imperial overlord*), he gradually became a man of importance, and finally acquired a greater degree of influence in the internal affairs of the city....” 2:176-177, emphasis mine.) HH

(04).

“This serves as the only explanation as to why the papacy claims that Justinian’s *Corpus Juris Civilis* is the basis of all Roman Catholic canon law”. 2:195.

(Here is more of what the same *Catholic Encyclopedia* had to say about canon law in relation to civil law:

(Law entry, subsection “Sources of Canon Law”)

(“The sources or authors of this positive ecclesiastical law are essentially the episcopate and its head, the pope, the successors of the Apostolic College and its divinely appointed head, Saint Peter. They are,

properly speaking, the active sources of canon law. Their activity is exercised in its most solemn form by the ecumenical councils, where the episcopate united with its head, and convoked and presided over by him, with him defines its teaching and makes the laws that bind the whole Church".¹⁰²

(And...

("The civil law of different nations, and especially the Roman law, may be numbered among the accessory sources of canon law. But it is necessary to explain more exactly its role and importance. Evidently secular law cannot be, strictly speaking, a source of canon law, the State as such having no competence in spiritual matters; yet it may become so by the more or less formal acceptance of particular laws by the ecclesiastical authorities. We pass by in the first place the laws made by the mutual agreement of both parties, such as the legislation of the numerous assemblies in the Visigothic kingdom, and the Frankish kingdom and empire, where the bishops sat with the lords and nobles. Such also is the case of the concordats of later ages, real contracts between the two powers. In these cases we have an ecclesiastico-civil law, the legal force of which arose from the joint action of the two competent authorities. It is in a different sense that Roman law, Germanic law, and in a lesser degree modern law, have become a subsidiary source of canon law".¹⁰³

(So it seems that the episcopate are considered the "active sources" of canon law, whereas Justinian's Code, Germanic law, etc., are considered "accessory sources". Canon law borrowed the "structure, general concepts and detailed rules"¹⁰⁴ of various civil codes, with Justinian's being chief among them. That was the sense in which Charles Herbermann (not "the papacy") said, "Justinian's Corpus is the basis for canon law" - it wasn't because Justinian's Code elevated the "laws of the church to equality with the laws of the state". The same entry informs us how the pre-Constantine church formed a "nucleus of local canon law" based on the disciplinary decisions of various bishops, and this universally disseminated collection initially became the "basis of general canon law".)¹⁰⁵ NL

[Legal historians refer to Justinian as "the Father of Jurisprudence," and for good reason:

"The activity in the realm of public law earned the emperor the title "Father of Jurisprudence.""¹⁰⁶

¹⁰² Charles Herbermann, *The Catholic Encyclopedia*, Vol. 9, 59.

¹⁰³ Ibid.

¹⁰⁴ George Mousourakis, *The Historical and Institutional Context of Roman Law*, 430.

¹⁰⁵ Charles Herbermann, *The Catholic Encyclopedia*, Volume 9, 60, "Law" entry.

¹⁰⁶ Knecht, August. *Die Religions-Politik: Kaiser Justinians I: Eine kirchengeschichtliche Studie*. (Dissert. Würzburg, 1896), 11. [Andreas Gobel, *The Religious Politics of Emperor Justinian I*, Würzburg, 1896.]

[Why did Justinian receive this title?

“This *Corpus* became the definitive form of Roman law for the empire, and soon for the barbarian West, as well.”¹⁰⁷

“...It is this Justinian legislation which dominated all the middle ages and supplied modern Europe with the basis of law.”¹⁰⁸

[We rightly understood the *prophetic implications* of Justinian’s *Corpus*. It provided the foundational blueprint for the little horn during its “setting-up” period and guided it throughout the Dark Ages, as well. It will soon be copied as the heroine model, in *principle*. Its principles will be utilized once more for the “setting-up” of the image to the beast of Revelation 13 and for the resurrection of the “Mother of Harlots” of Revelation 17. Rome will be permitted to carry out her last crusade against heaven during the closing scenes of earth’s history, before her eternal demise in the seven last plagues.] HH

(05).

“Procopius dates the beginning of the siege of Rome to February 21, 537. Procopius, *History of the Wars*. Translated by H. B. Dewing. Bks. 1–8. In Loeb Classical Library, edited by Jeffrey Henderson. Cambridge, MA: Harvard Univ. Press, 2000–2001, V. xvii. 12–14. And Procopius concludes the siege of Rome on March 1, 538: “Now it was about spring equinox, one year had been spent in the siege and nine days in addition, when the Goths, having burned all their camps, set out at daybreak. And the Romans, seeing their opponents in flight, were at a loss how to deal with the situation.” Ibid, VI. x. 13–14. 2:141, Footnote 202.

(Procopius did not make any mention of the February date; he reported that the siege of Rome began on the first day of March. Here’s what he said:

“In Rome, moreover, some of the patricians brought out the Sibylline oracles, declaring that the danger which had come to the city would continue only up till the month of July. For it was fated that at that time someone should be appointed king over the Romans, and thenceforth Rome should have no longer any Getic peril to fear; for they say that the Goths are of the Getic

¹⁰⁷ Warren Treadgold, *A History of the Byzantine State and Society* (Stanford: Stanford University Press, 1997), 185. [See 2:173.]

¹⁰⁸ Ibid, 24. [See 2:174.]

*race. And the oracle was as follows: 'In the fifth (Quintilis) month . . . under . . . as king nothing Getic longer. . . '. And they declared that the 'fifth month' was July, some because the siege began on the first day of March, from which July is the fifth month, others because March was considered the first month until the reign of Numa, the full year before that time containing ten months and our July for this reason having its name Quintilis. "*¹⁰⁹

(If the siege began on March 1, 537AD, a year and nine days would take us to the end of the siege on March 10, 538AD, a date that is reasonably close to the spring equinox according to the Julian calendar (*March 25, I believe*). Now Dewing's translation of Book 5 certainly mentions February 21, but it was Dewing or an editor who put the date in a sidebar, presumably because the *Liber Pontificalis* used it.¹¹⁰ However, Procopius did not; he pointed us to March 1, 537AD. It's a little confusing to read Heiks support the February 21 date while on the same page he quoted Charles Diehl confirming that Vitiges went to Rome in March: "*Vainly, Vitiges, with 150,000 men, went to lay siege to Rome (March 537)*".

(So between Procopius and the *Liber Pontificalis*, which date is correct? Unfortunately, we may never know for certain. But from my point of view, it just seems reasonable that if the siege really had concluded on the Kalends of March then Procopius would have said so, instead of vaguely referring to the day as "*it was about spring equinox...*" NL

[Yes, Lawrence is correct that there are two dates given *for* and *from* the two primary sources for the commencement of the battle of Rome against the Ostrogoths, but both dates terminated, as correctly stated by Lawrence, in March of AD 538. However, I mistakenly placed the February 21, 537, date¹¹¹ under the authorship of Procopius instead of the translator Dewing, as Lawrence noted. Because of the dating discrepancy and because I could not find any documentation to definitively confirm one date over the other, I had no ethical choice as an author but to submit both dates to the reader. Nevertheless, I see I should have explained the primary sources of Procopius further.¹¹² It's rather a unanimous agreement among historians, Lawrence and myself that the spring equinox, according to the Julian calendar, fell on March 25th in AD 538. Also, I take no issue with Lawrence's reasoning for the termination date of March 10, 538, over March 1, 538. Nevertheless, we do agree that the battle ended in March of AD 538. Below the reader will find the complete listing of the other source mentioned by the *Liber*

¹⁰⁹ Procopius, *History of the Wars*, Book V, Ch. XXIV. [For the precise page reference see: Procopius. *History of the Wars*. Translated by H. B. Dewing. Bks. 1–8. In Loeb Classical Library, edited by Jeffrey Henderson. Cambridge, MA: Harvard Univ. Press, 2000–2001, V. xxiv 25–31.]

¹¹⁰ Louise Ropes Loomis, trans., *The Liber Pontificalis*, Vol. I, 148.

¹¹¹ Procopius, *History of the Wars*, V, xvii, 12–18. [See sidebar.]

¹¹² "Now it was about the spring equinox, and one year had been spent in the siege and nine days in addition, when the Goths, having burned all their camps, set out at daybreak. And the Romans, seeing their opponent in flight, were at a loss how to deal with the situation." Ibid. VI. x. 8–14.

Pontificalis. In this way the reader now has in his possession the two primary sources that give us this historical account:

[147] “Then he heard that the Goths had chosen them a king contrary to the will of Lord Justinian Augustus and he marched into Campania toward the city of Naples and began to besiege the city with his army, because the citizens of Naples refused to open to him.¹¹³ At that time the patrician fought against the city and entered it; and in his fury he slew both the Goths and all the inhabitants of Naples and sacked it and spared not even the churches from the sack. He killed husbands with the sword in the presence of their wives and he put to death the captive sons and wives of the nobles; he spared none, neither priests nor servants of God nor consecrated virgins.¹¹⁴

“Then there was a terrible war, for Vitiges marched against the patrician Vilisarius and against the city of Rome. For the patrician Vilisarius entered the city of Rome, December 10, and he surrounded the city with guards and fortifications and walls and repaired the trenches and strengthened it. The very night when the patrician Vilisarius entered, the Goths who were in the city or outside the walls fled and left all the gates open and escaped to Ravenna.¹¹⁵ Then King Vitiges collected a vast army of the Goths [148] and marched back against Rome, February 21, and pitched his camp by the Molbian bridge¹¹⁶ and began to besiege the city of Rome. And the patrician Vilisarius, who defended the Roman name, shut himself up within the city and kept the city.

“In those days the city was besieged so that no man might go out or come in. And all the buildings, private and imperial and ecclesiastic, were consumed by fire and men died by the sword; some perished by the sword, some by famine and some by pestilence.¹¹⁷ Likewise the churches and the bodies of the holy martyrs were destroyed by the Goths.¹¹⁸ Within the city there was a great famine, so that water would have been sold for a price if the springs had not

¹¹³ The order of events here is uncertain. Procopius and the continuator of the *Chronicle of Marcellinus* describe the siege of Naples before the accession of Vitiges. Jordanes does the same in the *Romana* but in *Getica* he keeps the order of the *Lib. Pont.* Duchesne, *op. cit.*, p. 293, n. 5.

¹¹⁴ Procopius says that the Massagetæ, who fought in the army of Belisarius, were chiefly guilty of the loot and sacrilege, that they cut down even the inhabitants who fled the churches for shelter and that Belisarius went up and down the city restraining them. *De Bello Gothico*, I, II; ed. Haury, vol. II, pp. 58-62.

¹¹⁵ Procopius says that Belisarius entered Rome by the gate called Asinaria on the same day that the Goths marched out by the Flaminian Gate. *De Bello Gothico*, I, 14; 77.

¹¹⁶ The Mulvian bridge.

¹¹⁷ Rome had suffered in the fifth century from barbarian invasion but without losing much of the outer semblance of her grandeur. With this terrible siege begins the real destruction of her orderliness and beauty, the transformation of the splendid capital of the ancient world into the scarred, crumbling, poverty-stricken medieval city of the popes. Lanciani, *Destruction of Ancient Rome*, 70-71, 79-87. Frothingham, *Monuments*, 76-85. Gregorovius, *History of Rome*, tr. Hamilton, vol. II, *passim*.

¹¹⁸ Duchesne prints selections from inscriptions taken from martyrs' tombs and cemeteries along the Via Salaria, where the Gothic assaults were heaviest, recording the restoration of sacred monuments wrecked or damaged by the enemy. In one or two cases remains have been found both of the original epitaphs shattered by the Gothic soldiers and of the sixth century reproductions of the originals erected to fill the empty places. *Op. cit.*, 293-294, n. II.

furnished deliverance.¹¹⁹ And the battles were fierce about the city. In those days the patrician Vilisarius fought against King Witiges and the host of the Goths and defended the Romans and with his army saved the city and the Roman name. Then the city and the harbor of Rome were besieged one year by the Goths.¹²⁰ But the patrician Vilisarius fought and conquered the Goths and at last, after one year, the Goths fled to Ravenna.

[149] “At that time there was a heavy famine throughout the whole world, as Datius, bishop of the city of Milan, has related fully in his report, so that in Liguria women ate their own children for hunger and want; some of them, he has said, were of the family of his own church.”¹²¹] HH

(06).

“Yet, central to the prophecy was an issue not discussed by Diehl or other historians, though it was addressed by the ambassadors of the Ostrogoths and recorded by Procopius, the stenographer and bibliographer of Belisarius, who was present at those negotiations for peace over the battle of Rome in 538. The main contentious issue at hand was that of religious liberty. This is glossed over by Catholicism, historians, and the politically correct, yet it is central to the scriptures, Ellen White, and the Ostrogoths.” 2:145.

(Just based on prior research alone, I can easily count over a dozen historians – *at least one I can identify as Catholic* – who either discussed the issue of religious liberty/freedom among the Ostrogoths or openly wrote about how the Ostrogoths strengthened and protected the papacy, orthodox Christians, and Jews during their reign. The only way someone can reasonably conclude that historians “*gloss over*” Gothic support of religious liberty is if that person has a limited grasp of the subject matter - a deficiency Heidi Heiks certainly does not have.

¹¹⁹ Procopius tells us that the aqueducts, which ordinarily gave the city its abundant supply of water, were cut by the invaders but that the springs within the walls together with the stream of the Tiber furnished enough for the reduced population. *De Bello Gothico*, I, 19, ed. Haury, vol. II, 96-100. Lanciani, *Destruction of Ancient Rome*, 79-82.

¹²⁰ According to Procopius the siege lasted one year and nine days and ended just before the vernal equinox of 538. See Procopius’ *De Bello Gothico*, II, 10, ed. Haury, vol. II, 192.

¹²¹ Louise R. Loomis, trans., *Liber Pontificalis (The Book of the Popes)* (New York: Columbia University Press, 1916), 147-149. Procopius speaks of the desolating famine that fell upon Italy in 538 and of instances of cannibalism due to starvation. *De Bello Gothico*, II, 20, ed. Haury, vol. II, 236-239. He also says that Datius, bishop of Milan, and some of the leading citizens of the city came to Rome during that year to ask of Belisarius a small force of soldiers, with whose aid they proposed to reestablish the imperial government in the province of Liguria and to drive out the Goths. During his stay at Rome Datius may have reported on the famine in his diocese. Belisarius furnished the desired support, but in spite of it the Goths took and sacked Milan the following year. Datius escaped and fled to Constantinople, where he died in 552. The *Varia* of Cassiodorus contain a letter, written by himself as praetorian prefect to Datius between 534 and 539, regarding the opening of granaries for the relief of famine sufferers. See also Procopius’ *De Bello Gothico*, II, 7; 180-185; and Hodgkin’s *Letters of Cassiodorus*, 521-522.

(Now I don't exactly see how religious liberty was the main issue in the above quote; the main issue raised by the Gothic ambassadors was the utter faithlessness of the Romans in allowing Belisarius to take the city unimpeded in 536AD.¹²² The Ostrogoths felt that their staunch protection of the Roman civil and religious institutions should have earned Rome's loyalty, but they were infuriated because it had not been reciprocated. Granted, the slaughter of the Neapolitans following Belisarius' siege¹²³ heavily factored into the Romans' decision to admit the Byzantines into the city,¹²⁴ but regardless, the main contentious issue for the Goths was not "hey, we provided religious liberty for all people, so why did you betray us?!", the issue was "hey, we protected the Roman bureaucracy and religion, and we had imperial sanction to rule Italy, so why did you betray us?!".) NL

[The first chapter of my *AD 538 Source Book* presents the reason the topic of religious liberty has been introduced. While you speak the truth from your stated perspective, from my perspective I have not found any historian who references the scriptures concerning the direct connection of the government of heaven with religious liberty and the Ostrogoths. Therefore, I wrote, "...It is central to the scriptures, Ellen White, and to the Ostrogoths." 2:145. Viewed from your perspective, your argument is valid, honest and right when you said the main thrust was "We protected the Roman bureaucracy and religion." However, my reference point is first and foremost the scriptures, as they alone define the issues at hand. The *Roman bureaucracy* = legislation and *religion* = religious liberty infringements was exactly the issue at hand. The issue of *religious liberty* strikes a chord, because someone with your knowledge of papal history knows full well the statements from popes and their attitude regarding the so-called "pestilential error" of religious liberty. In chapter one of my book we saw that religious liberty is nothing short of a cornerstone that upholds the government of heaven. That cornerstone the "little horn" (papacy) would war against, as we're told in Daniel 7:25, along with the specification of a change in laws. The conflict is first and foremost vertical, and then we are able to see and understand the horizontal repercussions from history, as each member of humanity decides upon which side of the issue he or she will stand. The consequences of those decisions are eternal. It tells us if our hearts are still in rebellion against the government of God, or if they are in harmony with that government.] HH

(07).

"We have also witnessed that historians recognized that important legislation was issued about Italy in 538 which established Justinian's judicial authority in the west:

¹²² Procopius, *History of the Wars*, Book VI, Ch. VI.

¹²³ Ibid., Book V, Ch. X.

¹²⁴ Ibid. Ch. XIV.

“Justinian was already speaking of Italy as entirely under his arms,¹²⁵
already he was designating a prefect from the court as governor....”¹²⁶ 2:274.

(If Heiks truly believes that Justinian's judicial authority in 538AD was evidenced in part by the designation of an Italian prefect, then his belief is undermined by the simple fact that, according to (Procopius, the man in question (*Fidelis*) was designated the prefect of Italy in early 537AD before the Gothic siege even began:

*“But the Romans, being overcome by a great fear, sat in silence, and, even though they were abused by the envoys at length for their treason to the Goths, dared make no reply to them, except, indeed, that Fidelis saw fit to taunt them. This man was then praetorian prefect, having been appointed to the office by Belisarius, and for this reason he seemed above all others to be well disposed toward the emperor”.*¹²⁷

(Justinian certainly may have spoken of Italy as entirely under his arms by 538AD, but his words did not reflect reality, and the continuation of the war bore that truth out. Heiks' source for the above quote, Charles Diehl, recognized in another work that although Justinian's optimistic mind considered the war to be over in 540AD, “...the issue disappointed his anticipations”.¹²⁸ The Ostrogoths reorganized through the efforts of kings Hildibad and Totila, and under the latter, by the end of 541AD, “the work of the imperial restoration was undone in a few months”.¹²⁹ In Diehl's opinion, it took 20 years to put Italy entirely under Justinian's arms.¹³⁰

(I'd also like to quickly point out that, between page 151 and the end of the chapter, the only legislation Heiks provided that mentioned Italy was Novel 69, but in no way was that piece of legislation actually about Italy.) NL

[First, we must recognize the fact that we do have authentic primary sources that state that there was indeed the designation of an Italian prefect to Italy in AD 538 by Justinian. Secondly, we have already proven by Hodgkin and Mommsen that the legislative branch (the headship) of the Ostrogothic government met its demise in the year AD 538. Thirdly, the quote you provided

¹²⁵ Nov. 69, epil. (Mai 538).

¹²⁶ Charles Diehl, *Justinien et la Civilization Byzantine au VI^e Siècle* (Paris: Ernest Leroux, 1901), 186. Taken from Procopius, *De Bello Gothico*, ed. De la Byzantine de Bonn., 101.

¹²⁷ Procopius, *History of the Wars*, Book V, Ch. XX.

¹²⁸ Charles Diehl, Article, *The Cambridge Medieval History*, Vol. 2, 16.

¹²⁹ Ibid.

¹³⁰ Charles Diehl, *History of the Byzantine Empire*, 25.

certainly provides no substantive evidence for Procopius' designation of Fidelis as an Italian prefect to Italy in early 537AD, *before the Gothic siege had even begun!* After all, we have proof that Cassiodorus was still sending letters out of his official office throughout the entire year of AD 537.] HH

(08).

“The primary documents from Justinian himself confirm that it was not December 10, 536, (when King Vitiges abandoned Rome without a fight and Belisarius simply went in and occupied Rome) that established Justinian's judicial authority in the west. No, the deciding factor that would establish Justinian's judicial authority in the west would be the outcome of the first siege of Rome that began on February 21, 537, and ended one year and nine days later in a massive defeat of the Ostrogoths on March 1, 538. It was the outcome of that battle alone that secured for Justinian his judicial authority in the west.”
2:274.

(At most it shows that Justinian was a bit premature in adding the prefecture of Italy to his legislation.

(Of course the tragic irony here is that the Italian prefect Fidelis, the man whose elevation was supposed to be evidence of Justinian's secured judicial authority in the west, was dead at the hands of the Goths within a few weeks of the failed siege of Rome,¹³¹ while his successor, Reparatus, shared his predecessor's fate after the Goths took Milan the following year.¹³² Within a few years, Procopius admitted that Roman power in Italy, rather than being secured, was instead “*utterly destroyed within a short time*”.¹³³ Justinian was forced to spend the next decade looking on in frustration as Italy “*fell back into the hands of the barbarians*”,¹³⁴ his Italian possessions reduced to just four coastal cities by the end of 549AD.¹³⁵ I think if Heiks were truly honest with himself, he would recognize that the deciding factor that secured Justinian's “*judicial authority*” in Italy was nothing less than the end of the Ostrogothic War.

(Incidentally, I am unaware of any writer who argues that Justinian established “judicial authority in the west” on December 10, 536AD... but I can't say I've read anyone who claimed it happened in 538AD either. What is commonly understood, though, is that the city of Rome was taken and became subject to Byzantine authority on December 9 or 10, 536AD after sixty years

¹³¹ Procopius, *History of the Wars*, Book VI, Ch. XII.

¹³² Ibid., Ch. XXI.

¹³³ Ibid., Book VII, Ch. I.

¹³⁴ Ibid., Ch. XI.

¹³⁵ Thomas Hodgkin, *Theodoric the Goth*, 362.

of barbarian rule, and this is based primarily on the testimonies of Procopius¹³⁶ and Belisarius,¹³⁷ as well as mirrored by at least two dozen writers, including Edward Gibbon,¹³⁸ John Moorhead,¹³⁹ and Claire Sotinel.¹⁴⁰ Heiks' A.D. 538 Source Book even contains Charles Diehl's acknowledgement that Belisarius "reestablished Justinian's authority in the eternal city" on December 10, 536AD.¹⁴¹) NL

[Let's analyze the following legitimate statements:

"I think if Heiks were truly honest with himself, he would recognize that the deciding factor that secured Justinian's "*judicial authority*" in Italy was nothing less than the end of the Ostrogothic War. *Incidentally, I am unaware of any writer who argues that Justinian established "judicial authority in the west" on December 10, 536AD... but I can't say I've read anyone who claimed it happened in 538AD either.*"

[The issue (according to the scriptures) is not *about* Justinian's "*judicial authority*" in Italy or *when* it was secured, but *when* the third and last kingdom's "*judicial authority*" was "up rooted" or removed before AD 539, given in its specified *time* and *place*. I admit I have spent perhaps too much time and effort on a non-essential that carries with it no scriptural support whatsoever, because there is no such specification given, other than for its historical value. However, the specifications of the scriptures most emphatically predict that between the years AD 508 and 538, the legislative branches of government of three kingdoms would terminate, with the aid of the little horn, no later than by the end of AD 538. And for that, we have previously detailed an impeccable interpretation for the fulfillment of the scriptures in (02) and we need not go any further.] HH

(09).

"Novel 69, issued June 1, 538, confirms that this was the first time in 62 years that a Catholic Emperor had held legal jurisdiction in Italy." 2:274-275.

(Why does that novel confirm this? Like I mentioned in the previous paragraph, Procopius tells us that Rome became subject to the Romans in December 536AD after a 60-year absence (*a*

¹³⁶ Procopius. *History of the Wars*, Book V, Ch. XIV.

¹³⁷ Ibid., Ch. XXIV.

¹³⁸ Edward Gibbon, *Decline and Fall of the Roman Empire*, Vol. III, 61.

¹³⁹ John Moorhead, Article, *The New Cambridge Medieval History*, Vol. I, 129.

¹⁴⁰ Claire Sotinel, Article, *The Cambridge Companion to the Age of Justinian*, 279.

¹⁴¹ Heidi Heiks, *AD 538 Source Book*, 140.

reunion Diehl recognized had “reestablished Justinian’s authority” in the city), an Italian prefect was designated by early 537AD, and according to John Moorhead, a *comes sancti patrimonii per Italian* (a financial official) was operating in the conquered regions of Italy by the end of 537AD.¹⁴² Justinian’s legal jurisdiction was reestablished in Rome, southern Italy and Sicily before 538AD for a period of time. But because the prefecture of Italy was included in a 538AD law concerning the regulation of court cases (*a law that he never actually had the chance to publish*), we’re suddenly supposed to believe that June 1, 538 was the first time in 62 years a Catholic Emperor held legal jurisdiction in Italy? I think the historical record confirms otherwise.) NL

[Was Justinian, along with the full support of the little horn, responsible for the overthrow of the Ostrogothic legislative branch of government that we witnessed was terminated in AD 538? Yes, of course. Then why would it be wrong, biblically speaking, to acknowledge Justinian, technically, as overlord of the Ostrogothic monarchy in AD 538?] HH

(10).

“In conclusion, it has been rightly stated by Procopius that the Arian kingdoms did use the same laws and did practice a common religion, for they were all of the Arian faith and did not differ in anything else at all.¹⁴³ They were all unified under the legal ideology of religious liberty until A.D. 538. Hence, the best kept secret of the Dark Ages remains a secret no more.” 2:62.

(In his history of the Vandal War, Procopius identified four barbarian tribes as “*Goths*” that shared the Arian faith (*the Visigoths, Ostrogoths, Vandals, and Gepids*), and they supposedly “*did not differ in anything else at all*”. However, history clearly shows that one way the Vandal tribe did differ from the others was their habitual persecution of the Catholic Church in North Africa. Gibbon pointed out that, of all the Western barbarian kingdoms, “...*the cruel and absurd enterprise of subduing the minds of a whole people was undertaken by the Vandals alone*”.¹⁴⁴

(It surprises me that Heiks could be familiar with the history of the Vandals and still come away concluding that all of the Arian kingdoms were “*unified under the legal ideology of religious liberty*”. Now on page 56, he does try to cover his bases by admitting that they were “*not all free from some entanglements of church and state*”, but then he makes the mistake

¹⁴² John Moorhead, Article, *The New Cambridge Medieval History*, Vol. I, 129

¹⁴³ Procopius, *History of the Wars*. Translated by H. B. Dewing. Bks. 1–8. In Loeb Classical Library, edited by Jeffrey Henderson. (Cambridge, MA: Harvard Univ. Press, 2000–2001), III. ii. 1–8.

¹⁴⁴ Edward Gibbon, *Decline and Fall of the Roman Empire*, Vol. III, 365.

of claiming “*they never crossed the red line by resorting to force in religious matters against the will of an individual whether he be of the Arian or Catholic faith*”. I’m sorry, but the Gothic tribes definitely crossed that line at times, and the Vandals did so quite extensively. A contemporary 5th-Century African cleric named Victor of Vita testified to the many crimes perpetrated against his countrymen in a 90-page account,¹⁴⁵ and although there have been a few modern challenges to the idea that systematic persecution was involved,¹⁴⁶ there can be no denying that the Catholic Church in Africa suffered greatly under Vandal rule. An Ibero-Roman bishop named Hydatius spoke of the crimes of King Geiseric who persecuted the orthodox “*in order to force them into the Arian impiety*”.¹⁴⁷ Even Procopius wrote briefly about the violent actions taken by the Vandals against Catholics,¹⁴⁸ so whatever he meant by the Gothic tribes not differing in anything, he definitely did not have religious liberty in mind. Also, I’m sure Heiks must have noticed Justinian recounting how the Vandals re-baptized Catholics who were unable to bear the various “*tortures and punishments*” they suffered under the Vandal yoke.¹⁴⁹ In fact, the only Vandal king who wasn’t known to oppress the church was Hilderic...of course, that was due to his own adherence to the Nicene Creed.

(One objection that could be raised is the idea that Vandal persecution against Catholics occurred for economic/political reasons rather than religious ones, and upon their initial invasion into Africa that may very well have been the case. John Moorhead concurs, saying that the Vandals’ early actions against Catholics were motivated primarily by greed. However, he continued, “*if Geiseric’s persecution of Catholics was motivated by economic considerations one would have expected it to have lessened as the Vandals increasingly gained control of their wealth. Yet the reverse happened, and from the period beginning with the death of bishop Deogratias, which occurred before the end of 457, persecution based on religion predominates*”.¹⁵⁰

(Now Heiks claims that religious liberty was a “*legal ideology*” of all Arian tribes as well as an “*Arian principle*”; on page 24 he also stated that it was “*legally promoted*”. But where can it be shown in the extant Vandal legal texts that their laws promoted religious liberty? Heiks certainly does not provide any examples in his book. Is he basing this idea solely on Procopius’ claim that the Gothic tribes used “*the same laws*” and “*didn’t differ in anything else at all*”? Wouldn’t successive persecutions under Geiseric, Huneric, Gunthamund, and Thrasamund undermine such a claim? Wouldn’t Procopius’ testimony of Vandal persecution do the same? In fact, Victor of Vita testified that on February 25, 484AD, King Huneric published Roman laws that were originally aimed at heretics, but he turned those statutes against the Catholic faithful

¹⁴⁵ John Moorhead, *Victor of Vita, A History of Vandal Persecution*.

¹⁴⁶ Hohan Leemans, *Episcopal Elections in Late Antiquity*, 480.

¹⁴⁷ R.W. Burgess, *The Chronicle of Hydatius and the Consularia Constantinopolitana*, 95.

¹⁴⁸ Procopius, *History of the Wars*, Book III, Ch. VIII.

¹⁴⁹ S. P. Scott, trans., ed. *The Civil Law [of Justinian]*, Book 1.27.1.2-4.

¹⁵⁰ John Moorhead, *Victor of Vita, A History of Vandal Persecution*, pg. xi.

instead. The king then ordered all Catholic bishops to convert to the Arian religion by June 1st of that year.¹⁵¹ Wouldn't that be a clear case of legally promoted religious intolerance?

(If the extant manuscripts dealing with Vandal law do not promote religious liberty, and if the historical record shows that the Vandals frequently used force or coercion in religious matters against the will of individuals, then religious liberty was *not* a universal Arian principle, and Heiks' unified "*legal ideology of religious liberty*" between the three chief Arian kingdoms simply did not exist. The truth is, religious persecution was exercised within those three kingdoms, albeit to varying degrees; it was almost non-existent under the Ostrogoths (*although Theodoric may have tolerated persecution of the Manicheans in Rome, thanks to the popes*),¹⁵² periodic under the Visigoths,^{153, 154, 155} and commonplace under the Vandals (*except under Hilderic*).

[Our scriptural context under discussion is time—"in the presence of the little horn"—and place—"the location of the little horn" between the years AD 508-538. Historical events before and after have no bearing on our topic or the prophecy. But first, for the record, has Lawrence correctly stated the state of affairs under the Vandal kingship of Geiseric (AD 428-477) and Huneric (AD 477-484)? Yes, absolutely, but to lump the Vandal king Thrasamund in the same camp of Geiseric and Huneric will not withstand investigation. Let's return to our specifications, please. We begin by revisiting, in full, the eyewitness account of Procopius from his perspective of *time* and *place*:

"...There were many Gothic nations in earlier times, just as also at the present, but the greatest and most important of all are the Goths, Vandals, Visigoths and Gepaedes. In ancient times, however, they were named Sauromatae and Melanchlaeni;¹⁵⁶ and there were some too who called the nations Getic. All these, while they are distinguished from one another by their names, as has been said, *do not differ in anything else at all*. For they all have white bodies and fair hair, and are tall and handsome to look upon, *and they use the same laws and practice a common religion. For they are all of the Arian faith*, and have one language called Gothic; and, as it seems to me, they all came originally from one tribe, and were distinguished later by the names of those who led each group."¹⁵⁷

[Procopius's account is extremely credible, for the fact that he was with Byzantine General Belisarius during the entire sieges of the Vandals and the Ostrogoths. He would therefore have

¹⁵¹ Ibid., 64-69.

¹⁵² Louise Ropes Loomis, *The Liber Pontificalis*, Vol. I, 111, 119-120.

¹⁵³ William Sumruld, *Augustine and the Arians*, 30.

¹⁵⁴ Charles Herbermann, *The Catholic Encyclopedia*, Vol. XI, 705.

¹⁵⁵ John Foxe, *Foxe's Book of Martyrs*, 54.

¹⁵⁶ "Black-Coats"

¹⁵⁷ Procopius, *History of the Wars*, III. ii. 1-8. [Emphasis mine.]

firsthand knowledge of the events and issues surrounding those two Arian kingdoms, and he communicated that understanding in his *History of the Wars*. History also shows us that from AD 496 to 523, Thrasamund was the king of the Vandals. History additionally confirms that Thrasamund ended many years of Catholic persecution that had begun under his uncle Huneric. Because of Huneric's cruelty, he was little mourned by either the Vandals or their subjects. In fact, this move on the part of Vandal King Thrasamund greatly improved relations with the Byzantine Empire. Procopius tells us that

“He [Thrasamund or Trasamundus] became also a very special friend of the emperor Anastasius.”¹⁵⁸

[When Thrasamund died in AD 523, Hilderic became the Vandal king, reigning from AD 523 to 530. Hilderic's reign and history is known to all, and was noteworthy for the kingdom's excellent relations with the Eastern Roman Empire. Procopius writes that he was “a very particular friend and guest-friend of Justinian, who had not yet come to the throne.”¹⁵⁹ Procopius also said that “Hilderic and Justinian made large presents of money to each other.”¹⁶⁰ Hilderic allowed a new Catholic bishop to take office in the Vandal capital of Carthage, and many Vandals began to convert to Catholicism, to the alarm of the Vandal nobility. After seven years on the throne, Hilderic was dethroned during a revolt led by his cousin Gelimer. Gelimer then became king of the Vandals and Alans, reigning from AD 530 to 534. He restored Arianism as the official religion of the kingdom. He imprisoned Hilderic, along with Hoamer and his brother Euagees, but did not kill them. Justinian protested Gelimer's actions, demanding that Gelimer return the kingdom to Hilderic. Gelimer sent away the envoys who had brought him this message, blinding Hoamer and putting both Hilderic and Euagees under closer confinement, claiming that they had planned a coup against him. When Justinian sent a second embassy protesting these developments, Gelimer replied, in effect, that Justinian had no authority to make these demands. Angered at this response, Justinian quickly concluded his ongoing war with Persia and prepared an expedition against the Vandals in 533.¹⁶¹ Once Gelimer learned of the arrival of the Roman army, he had Hilderic murdered, along with Euagees and other supporters of Hilderic that he had imprisoned.¹⁶² The closing scenes of the Vandal kingdom were described in my book as such:

“...Gelimer and his people were established at Ticameron.... [26] [B]y the end of the winter Gelimer being forced to his last asylum, touched above all by the deprivations without number, he yielded to his destiny and put himself in the hands of Belisarius, depending on the promise that his life would be saved and he would have honorable treatment (March 534). The emperor's

¹⁵⁸ Ibid., viii. 9-15.

¹⁵⁹ Ibid., ix. 3-8.

¹⁶⁰ Ibid.

¹⁶¹ Ibid. III. ix. 3-8 to III. ix. 23.

¹⁶² Ibid. III. xvii. 10-16.

representative promised with willingness all that the overthrown king demanded. [According to Procopius the promise was made good and Gelimer lived to be an old man in ancient Galatia with his family, now modern Turkey. Procopius continues,] “However, Gelimer was by no means enrolled among the patricians, since he was unwilling to change from the Arian faith of Arius.”¹⁶³ 2:94.

[As one can clearly see, in the everyday life of the Vandals during the prophetic period of AD 508-538, diversity of religion was tolerated and upheld until King Hilderic made a fatal mistake. Thinking to transform an Arian province into one of the orthodox faith, against the wishes of his subjects, he crossed a line and the rest was history.] HH

(11).

[Two paragraphs of Lawrence’s are in reduced marginal format below. His comments were previously responded to in number (02). However, there is one issue left that deserves a reply.] HH

(“...Heiks also recognized that Justinian overthrew the Vandals in 534AD. Again, it did not matter that the tide-turning battles took place in 533AD, or that Justinian was proclaiming Africa’s reclamation in December of that year;¹⁶⁴ what matters is the Vandals were overthrown when the war ended in 534AD.

(Now all Heiks has to do is apply that same reasoning to the Ostrogothic War. Did the Ostrogoths surrender in 538AD? No. Did the war come to an end in 538AD? No. As with the battles of Adda and Ad Decimum, did it matter that the failed siege of Rome was a tide-turning event early in the conflict? Again, no. And unlike the 7-month Vandal War, the Gothic War lasted 18 years, with the war’s momentum swinging in the Goths’ favor at times. But regardless, the last Ostrogothic king perished in 553AD and the remains of the Gothic military negotiated an end to the conflict with General Narses shortly thereafter.¹⁶⁵ 553AD was the year the Ostrogoths were overthrown, not 538AD.

¹⁶³ Procopius, *History of the Wars*. IV. ix, 11-16.

¹⁶⁴ Heidi Heiks, *AD 538 Source Book*, 94.

¹⁶⁵ Procopius, *History of the Wars*, Bk. VIII, Ch. XXXV.

(The key being “when the Ostrogoths were overthrown”. Regarding Odoacer and his feodorati, Heiks clearly recognized they were overthrown in 493AD, the date when the war came to an end. On that, Heiks and I are in agreement. Despite Odoacer’s decisive loss at the Battle of Adda in August of 490AD,¹⁶⁶ and despite the fact that, for two and a half years, the only Italian strongholds left in his possession were Ravenna, Caesena, and Rimini,¹⁶⁷ Heiks understood that the “long, fierce battle finally ended on March 5, 493” when Odoacer negotiated his surrender.¹⁶⁸ It didn’t matter that Theodoric sent a patrician to the emperor in late 490AD seeking the royal mantle.¹⁶⁹ Odoacer’s kingdom was overthrown when the war ended in 493AD.

(We can also see an apt parallel in Justinian’s legislative policy; North Africa was liberated in March 534AD, and Justinian issued an edict in April of that year to reorganize the prefecture of Africa.¹⁷⁰ Likewise, after the capture of both the Gothic capital and King Vitiges in 540AD, Justinian saw fit to issue an *edictali programma* between 540-541AD in an attempt to put the *Corpus Juris Civilis* into force throughout Italy.¹⁷¹ However, the efforts of kings Hildibad and Totila gave the Ostrogothic kingdom a second life, and the continuation of the war brought Justinian’s edict to no effect. After thirteen more years of war, the conflict ended in 553AD following the battle of Mons Lactarius, and at that point Justinian took the opportunity to issue a pragmatic sanction in 554AD to reestablish his jurisdiction in the re-conquered provinces and to put the revised code of Roman law into effect.¹⁷²

(However, there were no such sanctions issued for Italy in 538AD, no codex reorganizing the Italian prefecture at that time. At most, all the emperor did was prematurely include the Italian prefect at the end of Novel 69...that was it. The novel wasn’t even written for or about Italy in particular; it was simply a general edict forbidding a change of venue in court cases, along with a few other legal matters. There’s no evidence to suggest that the novel was issued because of Belisarius’ successful defense of Rome or that it wouldn’t have been published if the siege had continued through June 538AD, so there’s no real reason why Novel 69 should be credited with establishing Justinian’s “judicial” authority in Italy in 538AD.) NL

[Anyone who studies the history of the man Justinian knows he does not legislate with presumptuous or idle words. With the decisive defeat of the Ostrogoths at Rome in 538, both emperor and pope believed the war was over. Novel 69 certainly expressed that belief in the circumference of the jurisdiction it now claimed, as well as by the territorial gains Justinian had now gained. Had Justinian spoken prematurely, as assumed by Lawrence, or did Belisarius and

¹⁶⁶ Thomas Hodgkin, *Italy and Her Invaders*, Vol. IV, 225.

¹⁶⁷ Ibid., pg. 226.

¹⁶⁸ Heidi Heiks, *AD 538 Source Book*, 59.

¹⁶⁹ Thomas Hodgkin, *Italy and Her Invaders*, Vol. IV, 227-228.

¹⁷⁰ S. P. Scott, trans., ed., *The Civil Law* [of Justinian], Book 1.27.

¹⁷¹ David Walker, *The Oxford Companion to Law*, pg. 976.

¹⁷² Frederick Pollock, *The History of English Law Before the Time of Edward I*, pg 11.

Justinian recognize the fact that they had truly broken the back of the Ostrogoths' *military* and *legislative branch of government* in AD 538? Of course they had, as they would be first and foremost to know this, and it was "in their presence" that the head of Ostrogothic *legislative branch of government* abdicated his position in AD 538 with no provision in place for a successor. Imagine, if you can, Justinian setting up legislation beside a rival government still in operation in the same "location" that Justinian had claimed as his own? We all know that would "fly like a lead balloon."

[Are we also to believe that Novel 79 was just presumptuous words of Justinian? The confusion of the issue comes in because many have not allowed the scriptures to be their own interpreter. As I showed previously, the uprooting of a prophetic horn or kingdom "is the uprooting of a kingdom's legislative and judicial branches of government." Also, we saw and understood from the primary sources, which were acknowledged and so stated by Hodgkin and Mommsen, that the office of Cassiodorus, the Praetorian prefect of the Ostrogothic government, was still in operation in AD 536-537, but it ceased to exist in AD 538 after the decisive battle at Rome! So much for the argument of a Praetorian prefect sent to the West by Justinian in 536 or 537.

[Lawrence also wants us to believe "there were no such sanctions [or authorizations] issued for Italy in 538AD...." We shall let the reader decide the truth of that matter by now submitting Novel 69 for the reader to judge for himself:

TITLE XXIV.

ALL PERSONS SHALL OBEY THE PROVINCIAL JUDGES IN BOTH
CRIMINAL AND PECUNIARY CASES, AND PROCEEDINGS SHALL BE
CONDUCTED BEFORE THEM WITHOUT ANY EXCEPTION BASED UPON
PRIVILEGE, AND PROVINCIALS SHALL NOT BE SUED HERE UNLESS
THIS IS AUTHORIZED By AN IMPERIAL PRAGMATIC SANCTION.

SIXTY-NINTH NEW CONSTITUTION.
The Emperor Justinian to the People of Constantinople.

PREFACE.

[262] "One of the most perfect of all human virtues is that which dispenses equity, and is designated justice, for no other virtue, when accompanied with this, is worthy of the name; therefore We do not praise fortitude, which is not united with justice, and although the Roman language calls virtue courage in battle, if justice is excluded from it, it becomes a vice, and is productive of no good.

As we have ascertained that justice is treated with contempt in Our provinces,
We have deemed it necessary to re-establish it in a proper condition, by means of
a law which will be acceptable to God....

EPILOGUE.

[266] “Therefore, as soon as Our Most Glorious Imperial Pretorian Prefects appointed throughout the extent of the entire Roman Empire receive notice of this law, they will publish it in all the departments of their government, that is in Italy, Libya, the Islands, the East, and Illyria; in order that all persons may know how greatly We have their interests at heart. We dedicate this law to God who has inspired Us to accomplish such great things, and who will recompense Us for having enacted this constitution for the security of Our subjects. It shall also be communicated to Our citizens of Constantinople. Given at Constantinople, on the Kalends of June, during the twelfth year of the reign of Justinian, and the Consulate of John.”¹⁷³ 2:152-153.

[Lawrence also tells us that there was “no codex reorganizing the *Italian prefecture* at that time” (emphasis mine). How is that supposed to prove your point, please, since the situation with the Vandals hardly resembled the situation with the Ostrogoths? Justinian was a wise and cunning legislator; he learned from previous successes and errors. The legislation he had issued at the end of the Vandal war on behalf of the African clergy had generated strong support and gained momentum throughout his newly-claimed province, as my book illustrated. Justinian therefore simply repeated that same strategy regarding the Ostrogoths; he again built upon the existing frenzy of the citizens—this time the excitement that was generated when the Romans greeted Belisarius as a liberator (Procopius tells us that the Romans hated the Ostrogoths.)—as they shared the same vision with Justinian and were exuberant over the prospect of a united Roman Empire. Further cementing this fact was that “[t]he dedication of the Great Church [Hagia Sophia] took place”^{174, 175} in AD 538 (2:155-156). (And all the while the populace was freely giving over their heaven-ordained rights to a tyrannical government. Revelation 13:12-18 tells us a similar scenario is to be repeated on a global scale.) Thus at the end of AD 538 we have the accomplishment and territorial extent gained by the “little horn” in the east during the very

¹⁷³ S. P. Scott, trans., ed., *The Civil Law [of Justinian]*, 2001. Justinian, *The Novels*-69. Vol. 16: 262, 266, June 1, 538. [The definitive dating used here was taken from the work of a French Doctor of Law: Pierre Noailles, *Les Collections de Nouvelles de L'Empereur Justinien: Origine et Formation sous Justinien* (Paris: Recueil Sirey, 1912).]

¹⁷⁴ Elizabeth Jeffreys, ed., *The Chronicle of John Malalas*. A Translation by Elizabeth Jeffreys, Michael Jeffreys, and Roger Scott (Melbourne: Australian Asso. for Byzantine Studies, 1986), 285.

John Malalas was a Byzantine chronicler that lived during the reign of Justinian. (A.D. 491-578). The three consular lists are these: (1) Theodor Mommsen, *Chronica Minora SAEC. IV.V.VI.VII* (Berlin: Verlag Hahnsche Buchhandlung (www.hahnsche-buchhandlung.de), vols. 1, 2, 3; 1892, 1894, 1898, respectfully; (2) Carl Frick, *Chronica Minora* (Leipzig: B. G. Teubneri, 1892); (3) Roger S. Bagnall, *Consuls of the Later Roman Empire* (Atlanta, GA: Scholars Press, 1987). See also Elizabeth Jeffreys, Brian Croke and Roger Scott, *Studies in John Malalas* (University of Sydney N.S.W.: Australian Association for Byzantine Studies, Department of Modern Greek, 1990), 143.

¹⁷⁵ Theophanes, *Chronographia*, ed. C. de Boor (Leipzig: n.p., 1888).

thirty-year period that biblical prophecy specified for the “setting up” or establishment of her political-religious kingdom, as can be verified from Novel 79:

[The issue we wish to highlight is regarding the *Italian Prefects of all dioceses, Praetors of the People, and the magistrates of the provinces in Italy and the entire West and those of both Romes*, as so stated in Novel 79 by Justinian and so quoted in my book:

“However, by the end of the year 538 and just ten days into the New Year, Justinian’s jurisdiction was declared by Justinian himself to encompass Italy, the entire West and those of both Romes, meaning Rome and Constantinople:

BEFORE WHOM THE CASES OF MONKS AND ASCETICS
SHALL BE TRIED.

SEVENTY-NINTH NEW CONSTITUTION.

CHAPTER II.

CONCERNING THE ENFORCEMENT AND OBSERVANCE OF
THIS CONSTITUTION AND THE DETERMINATION OF THE
LEGAL CONTROVERSIES IN WHICH MONKS ARE CONCERNED.

“Litigation in which monks are involved shall be speedily disposed of. This law is of general application, and its enforcement shall be committed to the Most Glorious *Prefects having jurisdiction in all dioceses, namely: those of Illyria, Italy, the entire West and those of both Romes, as well as by the Most Glorious Praetors of the People, and the magistrates of the provinces, with their subordinates*; and it shall not be evaded in any way but must be observed unchanged for the honor of the most reverend monks.”¹⁷⁶ 2:283. (Emphasis mine.)

[Now back to Novel 69. Lawrence continues, “The novel wasn’t even written for or about Italy in particular.” No, the novel was written first and foremost for Italy as well, and was not mentioned prematurely, as Lawrence assumes, as Novel 79 reiterates. Lawrence continues with “there’s no real reason why Novel 69 should be credited with establishing Justinian’s “judicial” authority in Italy in 538AD.” Did Justinian overthrow the Ostrogothic government in AD 538? Yes! Did Justinian overthrow the Ostrogothic military in a decisive battle in AD 538 that determined the outcome of the fighting? Yes! To what extent was that defeat of the Ostrogoths in AD 538?

“So ended the long siege of Rome by Witigis, a siege in which the numbers and prowess of the Goths were rendered useless by the utter incapacity of their

¹⁷⁶ S. P. Scott, trans., ed., *The Civil Law* [of Justinian], 17 vols (Union, NJ: Lawbook Exchange, 2001), 16:294-5 (March 10, 539).

commander. Ignorant how to assault, ignorant how to blockade, he allowed even the sword of Hunger to be wrested from him and used against his army by Belisarius. He suffered the flower of the Gothic nation to perish, not so much by the weapons of the Romans as by the deadly dews of the Campagna. With heavy hearts the barbarians must have thought, as they turned them northwards, upon the many graves of gallant men which they were leaving on that fatal plain. Some of them must have suspected the melancholy truth that they had dug one grave, deeper and wider than all, the grave of the Gothic monarchy in Italy.”¹⁷⁷

“The whole nation of the Ostrogoths had been assembled for the attack, and was almost entirely consumed in the siege of Rome.”¹⁷⁸ 2:150-151.

[It is true the fighting continued beyond 538, but in reality the outcome of the war was all but decided at the battle of Rome in AD 538. Is there really any wonder why Novel 69 should not be credited with establishing Justinian’s “judicial” authority in Italy in 538AD? No! Was the emperor’s inclusion of the Italian prefect at the end of Novel 69 truly premature, as Lawrence claims? No!] HH

(12).

“With Rome known to the world at that time as “the capital of the world....”¹⁷⁹ 2:261.

(Of course Heiks knows full well that the city of Rome was not actually the capital of the world in 538AD, regardless of Justinian’s flattery, nor was it even the capital of the Ostrogothic kingdom. The Ostrogoths maintained their king, their government, their capital, and numerical superiority following the siege of Rome; their failure to retake the city did not dethrone the Gothic government, but it did serve to weaken the Goths’ militarily and swing momentum in the Byzantines’ favor.) NL

[Yes, and, of course, Rome was not the capitol of the world at that time; I was simply allowing Justinian to speak for himself, to reveal the clear *intent* in the mind of Justinian to make it so once again. Lawrence claims the following without qualification: “The Ostrogoths maintained their king, *their government*, their capital, and numerical superiority following the siege of

¹⁷⁷ Thomas Hodgkin, *Italy and Her Invaders*. 8 vols., 1st ed. published 1880–1889. (New York: Russell and Russell, 1967), 4:285.

¹⁷⁸ Edward Gibbon, *The History of the Decline and Fall of the Roman Empire* (ed. J. B. Bury) (London: Methuen, 1909), 4:346.

¹⁷⁹ S. P. Scott, trans., ed., *The Civil Law* [of Justinian], Codex I. 17. 10. 12:92.

Rome; their failure to retake the city did not dethrone the *Gothic government....*” [Emphasis mine.] However, we have already and amply shown that the Ostrogoths *did not* maintain their legislative government after the battle of Rome in AD 538.] HH

(13).

“We now proceed by presenting to the reader the primary definitive historical sources that will sustain the foretold Biblical account of how the papacy orchestrated a universal Sunday law that was legislated throughout all of Christendom in the year A.D. 538.” 2:266.

(And yet none of the sources Heiks provided between pages 167-197 made any mention of the papacy actually orchestrating a universal Sunday law throughout all of Christendom in the year A.D. 538. Heiks claims his sources “*sustain*” this idea, but it’s hard to take that seriously when his sources are completely silent on the matter. Vigilius’ letter to Eutherus doesn’t mention a universal Sunday law, and Novel 69 doesn’t mention it either. Nor does Malalas or Orleans III or Mary Ann Collins, or any of the important legislation Heiks listed.

(Frankly, I don’t understand how his claim mirrors reality in 538AD. The Sunday laws contained within Justinian’s Code would have only applied to those territories the emperor had direct jurisdiction over; even at its height his empire never extended over the “*entire then-known world of Christendom*”. The Catholic Franks would have upheld Sunday observance on their own, but the Arian Visigoths were not obligated to enforce it since their kingdom in Spain and southern Gaul was not under the oppressive union of the Catholic church and state in 538AD. The same goes for the churches established in Northern Italy still within the Ostrogothic kingdom, or what few churches would have been found within the Suevic kingdom. In fact, Judith Herrin confirmed that the pagan practice of celebrating Thursday as the weekly day of rest persisted in Europe throughout the sixth and seventh centuries.¹⁸⁰ So how exactly was the universality of this Sunday law demonstrable when roughly a third of Western Europe was still ruled by Arian or pagan kingdoms following the siege of Rome in 538AD?

(In order for Heiks’ Sunday law to have truly been universal throughout Christendom in that year, it needed to be a canon included in one of the four general councils. Of course, all of the Sunday legislation in Book III Title XII of the Code was secular in origin and was limited to the Byzantine Empire. The Orleans III Sunday law in 538AD was definitely religious in nature, but that council was not ecumenical and its canons only represented church law for certain Gallic ecclesiastical provinces.) NL

¹⁸⁰ Judith Herrin, *The Formation of Christendom*, 222.

[Brother Lawrence, everything you have just said is historically true and I take no issue with you here at all, because we are precisely on the same page. I will take responsibility for not clarifying my position more clearly, as I had taken for granted that we all knew and understood we were dealing with the thirty-year “setting up” period alone. That is as I had stated earlier, that *all* the specifications of the prophecy that were given to take place between the years 508-538—including, of course, the uprooting of the three horns—must and did take place *only* in the “presence” of the papacy, and thus *only* in the “location” where she was able to stretch her tentacles far enough to secure her dominion during her thirty-years’ crusade for power. I think any honest and free-thinking individual would have to agree with the Bible’s logic and definition. In this context, do we find what is to be classified as “universal Christendom” up to the year AD 538, if you please? The answer is yes. I am more than aware of the extensiveness of Christendom, per se, in the world at that time, but we must stay within the confines of the prophecy. That includes the geographical “location” of the little horn during this thirty-year period only. If we stay within the specifications of scripture, then wherever the papal tentacles could reach with the support of the state during the biblical time period given to her for setting-up—i.e., wherever she could extend her legislative power—this would encompass “universal Christendom.” Since AD 538 her reach is open-ended until the Second Coming. In fact, at some point after AD 538, Revelation 11:3 tells us that “all the world wondered [will wonder] after the beast.”

[We documented that in AD 316 Pope Sylvester I decreed a change from Sabbath to Sunday. Soon thereafter, the state added its influence in support of the altered law through Constantine’s edict in AD 321. The rest is history, as you well know. In this thirty-year “setting-up” period, we witnessed two main players that helped to establish the little horn. There were Clovis in the West and Justinian in the East. The Sunday laws I have submitted in my book are open to all. Under Clovis for the Franks (French) in the West, we have the Council of Orleans III, canon 28. This Sunday law pertained to the Frankish jurisdiction alone. In the East, Justinian’s Sunday laws were enforced only in his jurisdiction, as well. According to the boundaries put upon us by the specifications of the scriptures, this is what constituted “universal Christendom” at that *time* and *place* in history. It is immaterial whether some of these Sunday laws were pagan, because the papacy is not a church; she is a political entity with a religious veneer, for she is pagan through and through. As I have proven in my book, she is the source for Sunday worship in Christendom then and today. So, was there a mandatory Sunday law throughout (and for no better word) Christendom by the year AD 538 in all the provinces that Clovis and Justinian had control and jurisdiction over? Yes. Were there three kingdoms that had their legislative branches uprooted between the years AD 508 and 538 (and for no better word) throughout all of Christendom under the territorial jurisdiction of either Clovis or Justinian? Yes. At the end of the thirty-year prophecy in AD 538, did the “little horn” “*speak* [through legislation] great words against the

most High” by thinking “to change times and laws”? Yes. Only by changing God’s law could the papacy exalt itself above God Almighty. If one would just take a moment to stand back and look at the big picture, the specifications would begin to link with historical facts so obviously that the deductions would be trustworthy.] HH

(14).

“We have already established the fact that the Ostrogoths were uprooted from Rome on March 1, 538, and that Justinian was the first Catholic Emperor since A.D. 476 to have held legal jurisdiction in Rome by designating a prefect from the court to be governor of Rome.”¹⁸¹ 2:266.

(No, the established facts are that the Ostrogoths were uprooted from the city of Rome in December of 536AD on account of Procopius’ testimony (“*Rome became subject to the Romans again after a space of sixty years*”), as well as Belisarius’ testimony (“*We have arrived in Italy, as thou didst command, and we have made ourselves masters of much territory in it and have taken possession of Rome also, after driving out the barbarians who were here...*”),¹⁸² and the praetorian prefect that supposedly confirmed Justinian’s “*legal jurisdiction*” over the re-conquered regions of Italy was designated in 537AD just prior to the siege of Rome.

(However, what hasn’t been established yet is the starting point of the Ostrogoth’s siege, and this is due to two conflicting dates; March 1 and February 21. Procopius wrote that the siege began on March 1, and we know that he was in Rome at the time and had first-hand knowledge of the event, whereas we do not know who penned the first part of Silverius’ entry in the *Liber Pontificalis*, although he was believed to have been a contemporary).¹⁸³ NL

[Any Praetorian prefect that Justinian may have sent to Rome prior to the uprooting of the Ostrogothic legislative branch of government and before the decisive battle at Rome in AD 538 would be of no consequence to the prophecy whatsoever. However, having a Praetorian prefect sent by Justinian in AD 538 after the decisive battle at Rome, when Justinian was already speaking of Italy as entirely under his arms with the removal of Cassiodorus’s legislative branch of government, the implications would be prophetic. Did such an event transpire? Let’s revisit a primary document from my book:

¹⁸¹ Charles Diehl, *Justinien et la Civilization Byzantine au VI^e Siècle*, 186. Taken from Procopius, *De Bello Gothico*, ed. De la Byzantine de Bonn, 101.

¹⁸² Procopius, *History of the Wars*, Book V, Ch. XXIV.

¹⁸³ Louise Ropes Loomis, *The Liber Pontificalis*, Vol. I, 148, footnote #2.

“Justinian was already speaking of Italy as entirely under his arms,¹⁸⁴ already he was designating a prefect from the court as governor....”¹⁸⁵ 2:274.

[The sources speak for themselves. Next, Lawrence states the following: “...What hasn’t been established yet is the starting point of the Ostrogoths’ siege, and this is due to two conflicting dates: March 1 and February 21.” As I commented previously, this is a true statement by Lawrence. He and I are in agreement that the spring equinox was on March 25,th and, weighing the arguments of Lawrence and others, I would tend to side with Lawrence that Procopius is probably closer to the actual date than the author of the *Liber Pontificalis*. That author has February 21, 537, to March 1, 538, for the battle of Rome against the Ostrogoths, whereas Procopius has it from March 1, 537, to March 10, 538. Although neither one of us can be definitive, I do think Lawrence is on more solid ground by siding with Procopius, since we know he was there in person and March 10, 538, would naturally be closer to the spring equinox date that fell on March 25th of 538.] HH

(15).

“On May 1, 538, we witnessed how Justinian clearly prohibited ‘the practice of unlawful religious rites,’ meaning, of course, that only the ‘one and true Catholic faith’ was to be recognized among all of humanity as religious liberty was banned and made illegal in the west, as well. Procopius, in other writings, confirms that it was Justinian who ended religious freedom for the Arian Christians, and we believe he is here quoting Novel 67 that was issued on May 1, 538, which we just reviewed:

“He [Justinian] seized the best and most fertile estates, and *prohibited the Arians from exercising the rites of their religion.*”¹⁸⁶ 2:268.

(Novel 67 starts off as an edict prohibiting people from building new monasteries, churches, or oratories without a bishop’s consent and preventing lawful churches from falling into disrepair and misuse. Although Scott’s translation has Justinian mentioning that certain individuals pretended to build houses of worship for the practice of unlawful religious rites, whatever those rites were, they were already “unlawful” (*meaning that the prohibition against practicing them had been declared previously*). What were new were the regulations for the building and maintenance of orthodox churches, etc. The novel was written for Patriarch Menas of

¹⁸⁴ Nov. 69, epil. (Mai 538).

¹⁸⁵ Charles Diehl, *Justinien et la Civilization Byzantine au VI^e Siècle*, 186. Taken from Procopius, *De Bello Gothico*, ed. De la Byzantine de Bonn., 101.

¹⁸⁶ Procopius, *The Secret History of the Court of Justinian* (Boston: IndyPublish.com, n.d.), 62.

Constantinople and to the other patriarchs and metropolitans “*under your (Menas’) jurisdiction*”. It wasn’t a law directed toward “*the west*”, at least not at that point.

(Now, concerning Heiks’ belief that Procopius was quoting Novel 67; the excerpt Heiks provided from *Secret History* was specifically describing the conditions in North Africa about a year after the Vandal War. Procopius tells us that the emperor sent commissioners to North Africa, imposed new taxes, seized the best and most fertile estates, and prohibited the Arians from exercising the rites of their religion.¹⁸⁷ Although he later turned his attention to Italy in subsequent paragraphs, the part about seizing estates and prohibiting the Arian religion was all dealing with the post-Vandal situation in North Africa.

(If Procopius really was describing the aftermath of one of Justinian’s Novels (*and Heiks’ gives no evidence of this other than his own “belief” on page 168*), then I think it would be far more reasonable to conclude that Procopius was referring to Novel 37, enacted on August 1, 535AD. In it, Justinian declared that the African Church was entitled to all ecclesiastical property taken by the Arians in previous generations (*up to a point*), no Christian heretic was allowed to have a house of worship or prayer, and he charged the praetorian prefect, Salomon, that no Arian should “*share in any manner in ecclesiastical rites*”. Well, that’s almost exactly what Procopius described; the seizure of property and the prohibition of Arian rites in North Africa. Seems like a near perfect match to me. Menas’ Novel 67? Not so much. There’s nothing in that novel about Africa, or taking estates away, or prohibiting the rites of Arians in particular. Fred H. Blume’s translation of Novel 67 seems to make a connection with Procopius’ passage even more tenuous since Blume replaced “*rites*” with “*grottos*”: “*For many about to build chapels, look after their own disease (heresy), not becoming builders of orthodox churches, but of unlawful grottos*”.¹⁸⁸
NL

[It is true, as Lawrence claims, that Novel 67 was written for Patriarch Menas of *Constantinople* for territories under Menas’ jurisdiction. That vital piece of information I overlooked. It was not a law directed toward the West at that point in time. Also, I wrote the following: “...And we *believe* he is here quoting Novel 67 that was issued on May 1, 538....” In that partial quote of mine (emphasis mine), I chose the word “believe” because I did not go back to the original sources to confirm my findings, since I knew that I was not dealing with the first time Justinian used this stipulation. As Lawrence rightly said, “[T]he prohibition against practicing them had been declared previously.” As I have mentioned previously, this is not the first time Justinian has been found to be redundant in his *Corpus Juris*, although since Lawrence brought this matter regarding Menas to my attention, I’ve looked through the primary sources again. I believe I stand to be corrected here, as well. I believe Lawrence has the correct interpretation.] HH

¹⁸⁷ Procopius, *The Secret History of Procopius*, 64.

¹⁸⁸ <http://uwacadweb.uwyo.edu/blume&justinian/AJCNovels2/Novel%2067%20copy.pdf>

(16).

“It is significant that the third synod of Orleans, France, in AD 538, was not merely a provincial synod, meaning a local one, narrow or limited in scope.” 2:270.

(Ok, but in what way is this significant? Heiks’ source, Charles Hefele, likened Orleans III to the second council of the same name, which he described as a “*kind of national synod*”.¹⁸⁹ Heiks seems to be implying that since provincial synods were local, narrow, and limited in scope, and since Orleans III was not “*merely a provincial synod*”, then the council was not local, narrow or limited. The fact is that even a national synod - *although larger than a provincial* - still has a narrow, limited scope because it is only authoritative for the church body within a particular nation or kingdom, not the church universal. The Catholic Encyclopedia states that the canons of national councils represent local law: “*Next to the pope, the bishops united in local councils, and each of them individually, are sources of law for their common or particular territory; canons of national or provincial councils, and diocesan statutes, constitute local law*”.¹⁹⁰ NL

[In my book I said:

“Then on May 7, 538, the Catholic Church takes her boldest step yet in the history of her church councils. A deliberate frontal attack on the law of God was witnessed as *all of Gaul came under an ecclesiastical Sunday law*.” (Emphasis mine.) 2:269.

[That is, it could be enforced in *all* of Gaul that was under the control and jurisdiction of Clovis. No discrepancy here.] HH

(17).

“The power and extended authority of a church council may be better understood from Mary Ann Collins, a former Catholic nun, in her remarks on infallibility in reference to the *Catechism of the Catholic Church*, 891:

“According to Roman Catholic doctrine, popes and Catholic Church councils are infallible. This means that whenever they make official declarations concerning matters of faith or morals, God supernaturally protects them from

¹⁸⁹ Charles Hefele, *A History of the Councils*, Vol. IV, 185.

¹⁹⁰ George Herbermann, *The Catholic Encyclopedia*, Vol. IX, 59, “Law” entry.

making errors. Infallibility applies to all Roman Catholic popes and church councils: past, present, and future.”¹⁹¹ 2:271-272.

(I don’t see why appealing to an ex-Catholic like Mary Ann Collins would lead us to a better understanding of a church council’s authority. It would be like suggesting we might better understand the Investigative Judgment doctrine by reading about it in Russel Earl Kelly’s book, *Exposing Seventh-Day Adventism*. In both cases, why not skip the polemics and stick to the source materials? In my opinion, Heiks’ decision to appeal to an anti-Catholic writer feels entirely out of place and counterproductive.

(The catechism Ms. Collins quotes from adds these rather important provisos to the subject of infallibility: “*The Roman Pontiff, head of the college of bishops, enjoys this infallibility in virtue of his office, when, as supreme pastor and teacher of all the faithful - who confirms his brethren in the faith - he proclaims by a definitive act a doctrine pertaining to faith or morals...The infallibility promised to the Church is also present in the body of bishops when, together with Peter’s successor, they exercise the supreme Magisterium, above all in an Ecumenical Council*”.¹⁹²

(Simply put, Orleans III was not a general council, it was not convened or presided over by the pope or his representatives, the Bishop of Rome did not proclaim the canons of that council to be definitive acts of faith and morals, and the bishops in attendance certainly did not represent the “*supreme Magisterium*”. The synod was a quasi-national Gallic council whose canons would have been limited to the churches under the jurisdiction of the metropolitans involved (*namely Lyons, Vienne, Sens, Bourges, and Rouen - all of which were within the Merovingian Frankish kingdoms*).

(Orleans III did not meet any of the conditions to make its canons infallible, and Roman Catholic doctrine does not state that infallibility applies to all church councils. A former nun like Collins should know that, and a seasoned researcher like Heiks should know better than to rely on ex-Catholics to accurately communicate Catholic doctrine. I mean really, if Heiks is resourceful enough to track down and translate an obscure 6th-Century papal letter out of the *Corpus Scriptorum Ecclesiasticorum Latinorum*, then he should have little difficulty locating a more suitable source to communicate Catholic teaching than an ex-nun and anti-Catholic like Collins. NL

¹⁹¹ Mary Ann Collins (a former Catholic nun), *The Spirit of Roman Catholicism-What Lies Behind the Modern Public Image?* (2002) 31, note 17, PDF, “Infallibility.”

¹⁹² Heidi Heiks, *AD 538 Source Book*, 272.

[Quoting Lawrence, "...Why not skip the polemics and stick to the source materials? In my opinion, Heiks' decision to appeal to an anti-Catholic writer feels entirely out of place and counterproductive." My purpose at the time was not to sling mud, but to show that sometimes what is understood within the church structure and what is on the books are two different things. However, your point is valid, and your constructive criticism well-received. At least you now know what my intentions were.] HH

(18).

"However, let us not forget how Justinian's ecclesiastical legislation comes to fruition. From Codex I. 1. 4., we have read the letter by Justinian that he wrote to Pope John II on March 15, 533, as follows:

"For we do not suffer anything which has reference to the state of the Church, even though what causes the difficulty may be clear and free from doubt, to be discussed without being brought to the notice of Your Holiness, because you are the head of all the Holy Churches, for We shall exert Ourselves in every way (as has already been stated), to increase the honor and authority of your See."¹⁹³ 2:280.

"There was nothing which had reference to the state of the Church in ecclesiastical matters that did not come first before the pope for approval. This procedure was already established when Justinian declared, "We shall exert Ourselves in every way," and was legally confirmed by the legislative support from the state that the church canons received." 2:280-281.

(If Justinian did make the Bishop of Rome aware of the state of ecclesiastical matters in the Church, it was almost always after the fact. Ironically, the 533AD letter Heiks used as his proof-text in the above quote serves to validate my point; Justinian wrote that letter in order to get Pope John II's approval of the Theopaschite formula, but he only did so after making it the accepted doctrine in the East;¹⁹⁴ Justinian did not wait to get the pope's approval first. In reality, the only reason he even made the pope aware of the situation was because a group of Eastern ecclesiastics, called the Sleepless Monks, rejected the formula, and they had sent a delegation to Rome hoping that John would agree with Pope Hormisdas' earlier ruling on the matter.¹⁹⁵ The Monks' delegation made Justinian feel pressured to send one of his own to Rome, and the letter

¹⁹³ S. P. Scott, trans., ed., *The Civil Law* [of Justinian], 12:12 (March 15, 533).

¹⁹⁴ Milton Anastos, *Studies in Byzantine Intellectual History*, 3.

¹⁹⁵ Richard McBrien, *Lives of the Popes*, 89.

in question was sent with the Byzantine ambassadors.¹⁹⁶ So if the monks hadn't opposed Justinian, there would not have been a 533AD "headship" letter to Pope John II seeking his advice on the formula. As Littledale recognized, the letter was actually a "*confession of faith which Justinian forced on the Pope, compelling him to alter the ruling of the Roman Church on a point of doctrine, in order to bring it into conformity with the teaching of the Eastern Church*".¹⁹⁷

(Then there is the Origenistic controversy in which Justinian issued 10 anathemas against Origen and some of his teachings. Did he consult with Pope Vigilius first and get his approval before issuing his judgment? No; he promulgated the edict against Origen, then sent letters to the Pope and various patriarchs encouraging them to procure anathemas in their own synods.¹⁹⁸ Now the decision to condemn Origen had been supported by Patriarch Menas and the papal legate Pelagius prior to Justinian issuing his sentence,¹⁹⁹ but regardless, Hefele clearly understood that Justinian's edict was "*one of those many and great, even if well-meant, Byzantine encroachments, which does not disappear even when we assume that the Emperor acted in agreement with Menas and Pelagius*".²⁰⁰

(Lastly, there is the Three Chapters controversy, arguably the most important theological conflict of Justinian's career. Did the emperor obtain Vigilius' approval first before issuing an edict condemning the writings of Theodore, Theodoret, and Edessa? No, of course not; he condemned them first around 544AD, then went about a 9-year process of trying to coerce Vigilius and the Western Church into accepting his decision. In fact, instead of acquiescing to papal authority during the Council of Constantinople in 553AD, Justinian rejected the pope's *Constitutum* on the Chapters and declared to the council that "*the very religious pope of old Rome had made himself an alien to the catholic church by defending the impious chapters, and by putting himself out of the communion (of the fathers)*".²⁰¹ The council then proceeded to condemn the Chapters and depose Vigilius,²⁰² while Justinian broke communion with the pope until Vigilius finally capitulated several months later.²⁰³ I think Milton Anastos and Charles Diehl summed up the situation succinctly;

("Moreover, he (Justinian) issued his dogmatic decrees whenever he chose, and did not concern himself about securing the signatures of bishops and patriarchs until his decree was drafted. Then, after it was officially promulgated, he set about to procure whatever ecclesiastical sanction he saw fit, which on the part of the clergy amounted to no more than the purely

¹⁹⁶ R. F. Littledale, *The Petrine Claims*, 292-293.

¹⁹⁷ Ibid., 293-294.

¹⁹⁸ Charles Hefele, *A History of the Councils of the Church*, Vol. 4, 219.

¹⁹⁹ Ibid., 217-218.

²⁰⁰ Ibid., 220.

²⁰¹ Claire Sotinel, article, *The Cambridge Companion to the Age of Justinian*, pg. 283.

²⁰² Ibid.

²⁰³ Eamon Duffy, *Saints and Sinners*, 57.

administrative act of announcing the Emperor's theological decisions to the churches within their jurisdiction. In every instance, the priests, when asked to give their approbation to an imperial theological decree, were confronted with a fait accompli, and were powerless to resist, or to suggest changes." ²⁰⁴

*("Moreover, he (Justinian) proposed to rule the Church as its master, and in exchange for his protection and for the favors he had heaped upon it, he despotically and brutally imposed his will upon it, proclaiming himself curtly, 'emperor and priest'."*²⁰⁵

(I also don't understand how Heiks can claim that Justinian's letter to Pope John II shows us how the emperor's ecclesiastical legislation came to "*fruition*". His statement is a bit unclear; is he suggesting it was drawn up due to prior papal approval? If that is the case, then Claire Sotinel informs us that between 521-533AD, the emperors and popes had next to no communication with each other, with the exception of Pope John I's visit to Constantinople in 526AD:

"For the next five years (521-526AD), there was no correspondence between popes and emperors, and for fifteen years after that Justinian, although actively trying to reconcile Chalcedonian and non-Chalcedonian, did not consult Rome about religious matters. No pope felt the need for a permanent representative in Constantinople before 533AD. The union had been proclaimed and the names of Roman popes and eastern patriarchs entered on the diptychs, but this was all." ²⁰⁶

"Despite the pontifical visit of 526, Constantinople and Rome went their separate ways until 533. The new pope Felix (526-530) had no dealings at all with the imperial court, a policy largely continued by his successor, Boniface (530-532). In 532, Boniface asserted the rights of Rome over Illyricum, in answer to an appeal by the bishop of Larissa, who had been deposed by the patriarch of Constantinople, which worsened relations with the East." ²⁰⁷

(Also, S. P. Scott's translation of Novel 9 has Justinian declaring "(w)e (Justinian) are the source of both secular and ecclesiastical jurisprudence". If that is the correct translation then Justinian wouldn't have believed he needed to receive the pope's prior approval concerning church law; the emperor would have seen himself as the divinely appointed arbiter of such legislation.

(Honestly, I can't really think of any instance in which Justinian or his successors took ecclesiastical matters before the bishop of Rome in order to get prior approval; and even if

²⁰⁴ Milton Anastos, *Studies in Byzantine Intellectual History*, 518.

²⁰⁵ Charles Diehl, *History of the Byzantine Empire*, 25.

²⁰⁶ Claire Sotinel, *The Cambridge Companion to the Age of Justinian*, 273.

²⁰⁷ *Ibid.*, 274.

examples did exist, they would be exceptions, not the rule. Now Justinian did submit to Pope Agapetus' decision to depose Anthimus, despite the emperor's prior protestations - but his acquiescence was not exercised in a vacuum. Since Justinian was about to embark on the Gothic War, I think it is reasonable to conclude that he handled Agapetus with kid's gloves because he simply could not risk alienating the Roman populace at such a critical hour. There was already a segment of the Italian population who had no interest in Greek rule, so mistreating the bishop of Rome would only reinforce their prejudices and give the Romans reason to shift their allegiance to their current rulers. Justinian understood this, and I believe he was willing to forfeit a minor battle within the church for the sake of a much larger war.) NL

[I have read a fair number of the letters from Pope Simplicius to Anastasius. I have also read almost all of the letters from Pope Symmachus to Vigilius, and have translated all of Pope Symmachus' letters. I am certainly familiar with the history you speak of concerning the next-to-nothing communication between popes and emperor; we are in agreement here. Also, I am fully abreast of Justinian's issues with Pope Vigilius and the Three Chapters controversy; again we are in agreement. I am vaguely familiar with the histories of popes John II, Felix and Boniface, of which you speak, but I found nothing there that addressed the specifications of what I was looking for, so I went no further. However, I am confident you are right in what you say. And, of course, there is no argument that Justinian did whatever he so desired. That's a given. All of what you say here I accept as true, but it has nothing to do with what I am talking about, if you please. My emphasis has been and is all about the scriptures' specifications of the prophecy. My focus has been on the legislative establishment of the union of church and state during the prophesied thirty-year crusade to power, and their (church and state) handling of religious liberty and the law of God during that time period, along with the related *time* and *place* of the uprooting of the three horns of Daniel 7:8, to name just a few aspects of my inquiry. The legislation that I presented proves to the reader the service and support that the state renders to the church, though they are viewed as one entity—although in the eyes of heaven, the apostate church has more guilt to atone for. The primary sources had already revealed who would have the upper hand, and although that fluctuated throughout history somewhat, Justinian became the man recognized by historians, as well by the pope at that time, as "Imperial overlord." That fact I quoted in 2:176-180, from the decree of AD 528 that laid the foundation for the political power of the papacy.] HH

(19).

“With the last of the three major Arian powers subdued judicially in A.D. 538 when they were forced to relinquish Rome, the capitol of the world as we have just witnessed, the oppressive union of church and state had successfully

put down all major opposition and had outlawed religious liberty throughout all of Christendom. By this act, the church officially ushered in the horrors of the dark ages. This has been the best kept secret of the dark ages.” 2:312-313.

(The Visigothic kingdom was still rooted in the West in 538AD, and that means the Ibero-Roman Catholic Church remained under the rule of one of Heiks’ three major Arian powers. So no, religious liberty was not outlawed throughout all of Christendom at that time. Within a few years, the resurgence of the Ostrogothic kingdom was restored throughout most of Italy for another decade, and in 568AD, the Lombards migrated to Italy and established yet another Arian/pagan horn on Italian soil.) NL

[These issues were addressed in (02).] HH

(20).

“In 536 came the final establishment of the French monarchy in Gaul²⁰⁸ and the possession of Provence, and this left the Franks in complete control to freely enforce the Lex Romana Visigothorum law code throughout all of Gaul.” 2:312.

(No, not throughout “*all of Gaul*”; the Gallic province of Septimanie remained a Gothic possession until the beginning of the 8th Century; Heiks’ *A.D. 538 Source Book* confirms this on page 316; “*Gothic countries: Septimanie which remained in Visigoth hands until 711 and shared the destiny of Spain and Province that belonged to the Ostrogoths.*”) NL

[The province of Septimanie was not something I had overlooked. I simply had not expressed the matter properly, as I meant that all the Franks’ territorial gains in the West, including the possession of Provence in AD 536, would comprise her geographical boundaries in light of the scriptures’ specification of “location,” and would remain so at least until AD 538. Throughout the territories of Gaul she had claimed as her own and over which she had jurisdiction, which comprised almost the whole of Gaul, she would be able to freely enforce the *Lex Romana Visigothorum* law code.] HH

²⁰⁸ Edward Gibbon, *The History of the Decline and Fall of the Roman Empire*, 4:128, margin, AMS edition.

[Below is a summary by Lawrence of his main concerns that have been addressed in this discourse.]

(So my main points of disagreement are summed up as follows: the Visigothic kingdom withstood Heiks' Molotov litmus test and it remained an opposing Arian armament in Europe long past 508 or 538AD. Codex I.3.44 did not give total authority to the canons of "*the synods*". Justinian's legal jurisdiction was established in Italy prior to 538AD, and the notion that Belisarius' successful defense of Rome secured the emperor's "*judicial authority in the west*" is falsified by Procopius' continued account of the war. The Vandal kingdom was not "*unified under the legal ideology of religious liberty*", that tribe crossed the red line on many occasions by resorting to force in religious matters, and for the most part the Visigothic and Ostrogothic kingdoms continued to uphold religious liberty after 538AD. The Ostrogoths were not dethroned in 538AD. Since the Third synod of Orleans was not a general council, its canons were narrow, limited in scope, and constituted local ecclesiastical law. Roman Catholic doctrine does not state that infallibility applies to all "*church councils*", and infallibility did not apply to canon 28 of Orleans III. Justinian never established a procedure, in which all ecclesiastical matters were first brought before the pope for approval, nor did the emperor follow such a procedure himself, and the ecclesiastical legislation within his Code came to fruition as a result of his own ambition and genius, not through prior collaboration with the bishop of Rome.

(But most importantly, despite claiming that the papacy orchestrated a universal Sunday law throughout all of Christendom in 538AD, none of Heiks' "*primary definitive sources*" made any mention of a universal Sunday law or the pope's orchestration of it; the Christian Church within the Iberian Peninsula, Southern Gaul, and Northern Italy would have remained under the Goths' "*legal code of religious liberty*"²⁰⁹ following the Ostrogoth's failed siege of Rome in 538AD, while at most the observance of Catholic Sunday laws would have been enforced upon those who were direct "subjects"²¹⁰ of Justinian or the Franks. In 538AD, Catholic "legal jurisdiction" in the West extended as far as North Africa, most of Gaul, and over half of Italy, therefore the proposed Sunday laws would not have been universal throughout Christendom in 538AD.

(On a more conciliatory note, it is readily apparent that Heidi Heiks put a great deal of time and effort into his research, so although I may ultimately disagree with some of his conclusions, I respect his work ethic. I also appreciated that he took a little time to address a few common falsehoods that have plagued historicist apologetics for far too long; his correction of Nicholas Summerbell over the timing of Justinian's three-month ultimatum was a welcome admission,²¹¹ as well as his recognition that the fall of Odoacer and his motley crew of mercenaries did not

²⁰⁹ Heidi Heiks, *AD 538 Source Book*, 261.

²¹⁰ *Ibid.*, 282-283.

²¹¹ *Ibid.*, 180.

represent the uprooting of the Heruli tribe. On those and other issues, I will gladly tip my proverbial hat to Mr. Heiks on a job well done.) NL

[In closing, I would like to say a few words about my friend Nick Lawrence. I do not wish for anyone to think he is my enemy. I have conversed with numerous Jesuit and Catholic historians and theologians; Nick Lawrence is one of the best historians I have run across in this era of history. I know well the documents he cites. He never veered to the left or right to sustain his position, but, as I have witnessed thus far, he has always stayed on the line. It was his honesty and tact that led to my decision to reply. As I have presented thus far, I believe Lawrence has built upon some false premises that can easily be overlooked, but not a lie. Also, I recognize the strong probability of being misread, in part by my own poor choice of words, but Lawrence is not to be faulted for this. As a historian, Brother Lawrence has gained my utmost respect and I wish him the very best!] HH